

Certified Mail Number 7000 0600 0023 5190 5020

August 13, 2003

Mr. Randy Holme
National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

City of
Indianapolis
Bart Peterson, Mayor



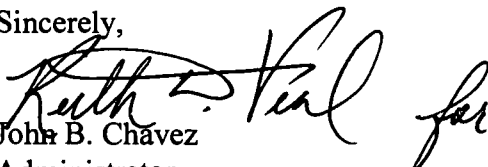
Dear Mr. Holme:

Attached is a Notice of Violation pursuant to Section 511-601 of the Air Pollution Control Ordinance of the Revised Code of the Consolidated City of Indianapolis and Marion County, Indiana. Within sixty (60) days of this Notice, the City of Indianapolis Office of Environmental Services (City) may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice of Violation.

The City proposes resolution of the Notice of Violation issued to National Starch and Chemical through the informal Administrative Hearing process. You may request a conference with the City staff to discuss this Notice and a proposed resolution. If an agreement can be reached on corrective measures to prevent a recurrence of the violations, a Compliance Agreement will be prepared and forwarded to the Administrative Hearing Officer for approval.

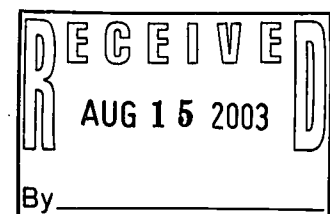
Please contact this office within ten (10) days of receipt of this Notice to schedule a conference if you would like to discuss a proposed Compliance Agreement. If you wish to discuss this matter further, please contact Ms. Cheryl Carlson, Enforcement Program Manager, at the address below or by telephone at (317) 327-2281.

Sincerely,


John B. Chavez
Administrator

JBC:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
R. Matt Senseny, Assistant Corporation Counsel
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Project Manager/Compliance, OES
Monica Dick, Permitting Program Manager, OES
Lynne Sullivan, Office of Enforcement, IDEM
Denise Curtis, Environmental Manager, National Starch and Chemical Company



Department of Public Works
Office of Environmental Services

2700 South Belmont Avenue
Indianapolis, Indiana 46221

(317) 327-2234
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(TDD) 327-8186
indygov.org



Office of Environmental Services
Department of Public Works
City of Indianapolis

August 13, 2003

Notice of Violation

Pursuant to Chapter 511, Section 601, the City of Indianapolis Office of Environmental Services (City) hereby issues this Notice of Violation. Within sixty (60) days of the date of this Notice of Violation, the City may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed and prosecute this case in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice. Any person found in violation of the Air Pollution Control Ordinance, any Indianapolis Air Pollution Control Board regulation, or any permit issued by the City is subject to a fine of up to \$10,000.00 per day per violation. The City of Indianapolis Office of Environmental Services hereby notes the following ordinance violation:

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c)

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permits, Operating Permit or Emission Credit Permit."

Violator's Name: National Starch and Chemical Company
Location: P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Responsible Official: Mr. Randy Holme

Dates of Violations:

1. Ten (10) weekly scrubber pressure drop records - May 10, 2002, May 17, 2002, May 24, 2002, June 3, 2002, June 10, 2002, March 31, 2003, April 7, 2003, April 14, 2003, April 21, 2003, and April 28, 2003
2. Seventy-three (73) daily baghouse pressure drop records - April 25, 2002, through July 6, 2002

Department of Public Works
Office of Environmental Services

2700 South Belmont Avenue
Indianapolis, Indiana 46221

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Evidence of Violations:

1. On June 11, 1999, Construction Permit number CP099-00042-01 was issued by the City of Indianapolis Office of Environmental Services (City) to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, for the installation of the modification to the Number 2 starch flash dryer (Unit 40-3).

Condition number 12.(a) requires, in pertinent part, "The permittee shall monitor and record the pressure drop of the scrubber at least once per week. ..."

~~Condition number 15 requires, in pertinent part, "That a log of information necessary to document compliance with operation permit conditions numbers 11, 12, and 13 shall be maintained. These records shall be kept for at least the past 36 month period and made available upon request..."~~

During inspections on May 15, 2003 and May 22, 2003, the City inspector observed that the weekly records for the pressure drop of the scrubber were not available for review for the ten (10) weeks of May 10, 2002, May 17, 2002, May 24, 2002, June 3, 2002, June 10, 2002, March 31, 2003, April 7, 2003, April 14, 2003, April 21, 2003, and April 28, 2003.

2. On August 30, 2000, Significant Source Modification number 097-11362-00042 was issued by the City to National Starch for the construction of the spray agglomerator including emission unit 577-2.

Condition number D.1.6 requires, in pertinent part, "The Permittee shall record the total static pressure drop across the baghouse used in conjunction with emission units 577-2 at least once daily when the process is in operation when venting to the atmosphere. ..."

Condition number D.1.9.(b) requires, in pertinent part, "To document compliance with D.1.6., the Permittee shall maintain the following ... (1) Daily records of the inlet and outlet differential static pressure during normal operation when venting to the atmosphere. ..."

During inspections on May 15, 2003 and May 22, 2003, the City inspector observed that the daily records of the static pressure drop for emission unit 577-2 were not available for review on seventy-three (73) days from April 25, 2002, through July 6, 2002.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permit, Operating Permit or Emission Credit Permit."

National Starch and Chemical Company
Notice of Violation
Page 3 of 3

Additionally, National Starch has been previously advised to maintain records and make the records available for review upon request. On June 20, 2002, a warning letter was issued to National Starch for failure to keep daily pressure drop records for the spray agglomerator from December 22, 2001, through April 24, 2002.

National Starch and Chemical is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

August 13, 2003
Date

Keith A. Steele
John B. Chavez
Administrator

STATE OF INDIANA)	ADMINISTRATIVE ADJUDICATION
) SS:	
COUNTY OF MARION)	DOCKET NO. 07-A-0280
CITY OF INDIANAPOLIS,)	
)	
Plaintiff,)	
)	
vs.)	
)	
INDOPCO, INC.)	
d/b/a NATIONAL STARCH AND)	
CHEMICAL COMPANY,)	
)	
Defendant.)	

COMPLIANCE AGREEMENT

Plaintiff is the City of Indianapolis, ("City") a body corporate and politic, acting through its Department of Public Works, Office of Environmental Services ("OES").

Defendant is INDOPCO, Inc. d/b/a National Starch and Chemical Company ("National Starch"), a corporation authorized to conduct business in the City of Indianapolis, Indiana.

The Notice of Violation in this cause was issued on or about January 6, 2006, and revised on October 1, 2007, alleging that National Starch violated Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3). More specifically, National Starch was alleged to have failed to keep visible emission notation records, to implement the Compliance Response Plan, implement the Preventative Maintenance Plan, to document the scrubber circulation rate, to keep the baghouse pressure drop records, to operate the sulfur dioxide scrubber, and to operate the Regenerative Thermal Oxidizer.

In the Notice of Violation, the City further alleged the following:

Background Information:

On March 24, 1997, the City of Indianapolis Office of Environmental Services (City) issued Construction Permit number CP-09700042-01, to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis, Indiana, for the construction of the By-Products Rebuild (including EU 575-2 and EU 575-3).

On March 10, 2000, the City issued Minor Source Modification number 097-11764-0042 to National Starch and Chemical Company for the North Packing line (EU 577-2).

On August 30, 2000, the City issued Significant Source Modification number 097-11362-00042 to National Starch and Chemical Company for the Spray Agglomerator Process (including EU 5549-20 and 5549-21).

On April 14, 2004, the City issued Part 70 Operating Permit number T097-7714-00042 to National Starch. According to Sections C.15 and C.18 of the Part 70 Operating Permit, a Compliance Response Plan and recordkeeping for new permit requirements shall be prepared and implemented within ninety (90) days of permit issuance; therefore, the new requirements became effective on July 14, 2004. Additionally, on October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit number T097-7714-00042. Both the new Part 70 Operating Permit requirements and the Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

On December 8, 2006, the City issued First Significant Permit Modification T097-20891-00042 to National Starch. The permit modification revised the allowable pressure drop ranges for the scrubbers in Section D.1.9.b. of Part 70 Operating Permit number T097-7714-00042 and revised the allowable pressure drop ranges for the baghouses in Section D.2.7.c. of T097-7714-00042. The First Significant Permit Modification also eliminated the scrubber used to control SO₂ emissions from units 5502-1A (Feed Dryer), 5502-1B (Germ Dryer), and 5502-1C (Gluten Dryer) with a first effect wash water system to control SO₂ emissions from unit 5502-1A only. A performance test conducted on January 11, 2006, demonstrated that the first effect wash water system controlled SO₂ emissions below the allowable limit.

On August 23, 2007, the City issued Significant Permit Modification SPM097-24287-00042 to combine two (2) emission points (Hammer Mill and the Truck Loadout) into one (1) emission point controlled by a common baghouse and exhausting to stack 5502-3. The Truck Loadout (identified as unit 5503-6) has been combined with the emissions from the Hammer Mill (identified as unit 5502-3) and both exhaust to stack 5502-3 and the requirements for collector for 5503-6 have been eliminated.

Evidence of Violations:

Based upon inspections conducted by the City on February 23, 2005, February 24, 2005, June 13, 2006, June 27, 2006, April 30, 2007, May 17, 2007, and May 18, 2007, and quarterly deviation and compliance monitoring reports from the second quarter 2004 through the fourth quarter 2006 submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (Failure to document visible emission notations for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 18, visible emission notations of the exhaust from stack EU 575-3 were required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 20. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of December 4, 2006, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on five (5) occasions during the weeks of September 20, 2004, December 6, 2004, August 22, 2005, August 29, 2005, and December 4, 2006.

Violations 21. - 23. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the

scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of November 22, 2004, August 22, 2005, and August 29, 2005.

Violation 24. (Failure to implement Preventative Maintenance Plan for EU 575-3)

During the week of June 7, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 17, the pressure drop across the scrubber is required to be monitored at least once per week. The Preventative Maintenance Plan for the scrubber is required to contain troubleshooting contingency and corrective actions for when the pressure drop readings are outside of the normal range for any one reading.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of June 7, 2004.

Violation 25. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of November 15, 2004.

Violation 26. (Failure to document scrubber circulation rate for EU 575-3)

During the week of December 19, 2005, National Starch failed to document the scrubber circulation rate for the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the scrubber recirculation rate for the scrubber is required to be monitored at least once per week.

National Starch failed to document the scrubber circulation rate on one (1) occasion during the week of December 19, 2005.

Violation 27. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of October 25, 2004.

Violation 28. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 29. - 31. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 32. - 37. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2,

EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 38. – 55. (Failure to document visible emissions for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

On January 29, 2006, January 30, 2006, and May 22, 2006, National Starch failed to record the visible emission notations from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.7.a., visible emission notations of the exhaust stack are required to be performed once per day.

National Starch failed to document compliance of the visible emission notation requirement for six (6) wet scrubbers on January 29, 2006, January 30, 2006, and May 22, 2006, for a total of eighteen (18) occasions.

Violations 56. - 62. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)

During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three-week periods between the week of March 14, 2005, through the week of March 28, 2005.

Violations 63. - 74. (Failure to implement Compliance Response Plan for EU 40-4, EU 40-2, and EU 575-1)

On April 25, 2005, May 2, 2005, May 16, 2005, and May 23, 2005, for EU 575-1, on April 4,

2005, April 11, 2005, April 18, 2005, and April 25, 2005, for EU 40-4 and EU 40-2, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on twelve (12) occasions between April 4, 2005, and May 23, 2005.

Violations 75. - 179. (Failure to document visible emission notations for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Construction Permit 9700042-01, Section 18., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

On May 22, 2006, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.6.b., the visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fifteen (15) days for a total of one hundred five (105) missing records.

Violations 180 - 291. (Failure to implement Compliance Response Plan for EU 577-2)

On thirty-one (31) days between April 27, 2004, and December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and

D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per day. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Minor Source Modification number 097-11764-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

On January 3, 2005, January 4, 2005, January 6, 2005, January 7, 2005, January 10, 2005, though January 12, 2005, January 15, 2005, January 22, 2005, January 31, 2005, February 4, 2005, February 7, 2005, February 9, 2005, February 11, 2005, February 13, 2005, February 14, 2005, February 17, 2005, through February 19, 2005, February 24, 2005, February 25, 2005, February 27, 2005, February 28, 2005, March 2, 2005, through March 8, 2005, March 10, 2005, through March 12, 2005, March 14, 2005, through March 16, 2005, and March 19, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 5, 2005, April 7, 2005, through April 24, 2005, and April 26, 2005, through April 29, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On November 13, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twelve (112) days between April 24, 2004, and November 13, 2006.

Violations 292. - 297. (Failure to implement Compliance Response Plan for EU 577-2)

From October 25, 2004, through October 30, 2004, National Starch exceeded the allowable

pressure drop requirement. The pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the baghouse is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps from October 25, 2004, through October 30, 2004, on six (6) occasions.

Violations 298. - 436. (Failure to document total static pressure drop for EU 577-2)

From June 7, 2004, through July 13, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Minor Source Modification number 097-11764, Section D.1.8(b), the total static pressure drop across the National Starch was required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on thirty-six (36) days from June 7, 2004, through July 13, 2004.

From July 14, 2004, through October 24, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

On May 22, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be recorded at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on one hundred three (103) days between July 14, 2004, and May 22, 2006.

Violations 437. - 649. (Failure to implement Compliance Response Plan for EU 5549-13)

On various days from July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch exceeded the allowable total

static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for two hundred thirteen (213) days between July 14, 2004, and March 29, 2005.

Violations 650. - 693. (Failure to implement Compliance Response Plan for EU 5549-13)

On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 4, 2005, through April 30, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From December 26, 2005, through December 28, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On March 9, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On May 7, 2006, and from June 16, 2006, through June 18, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was

recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for forty-four (44) days between February 3, 2005, and June 18, 2006.

Violations 694. - 698. (Failure to document total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

On March 27, 2005, December 25, 2005, and March 6, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day.

National Starch failed to document compliance of the total static pressure drop requirement on five (5) days on September 30, 2004, and March 6, 2006.

Violations 699. - 1037. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

From February 21, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less

than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 10, 2005, April 15, 2005, April 16, 2005, May 4, 2005, through May 8, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On July 2, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for three hundred thirty-eight (338) days between April 14, 2004, and July 2, 2006.

Violations 1038. - 1039. (Failure to document total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1040. - 1203. (Failure to implement Compliance Response Plan for EU 5549-21)

On various days between April 27, 2004, and May 8, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for one hundred sixty-four (164) days between April 27, 2004, and May 8, 2005.

Violations 1204. - 1205. (Failure to document total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1206. - 1209. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating while the process was operating. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during four (4) days from July 23, 2004, through July 26, 2004.

Violations 1210. - 1212. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during three (3) days from December 11, 2004, through December 13, 2004.

Violations 1213. - 1339. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through May 1, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the second quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From November 13, 2006, through November 15, 2006, and November 17, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twenty-seven (127) days between January 1, 2005, and November 19, 2006.

Violations 1340. - 1349. (Failure to implement Compliance Response Plan for EU 5503-6)

On August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-6 for the Truck Loadout Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for ten (10) days on

August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006.

Violations 1350. - 1357. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)
From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section C.5., all air pollution control equipment listed in the permit and used to comply with an applicable requirement shall be operated at all times that the emission units are vented to the control equipment are in operation.

Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM₁₀) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.). National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/PM₁₀ limit on seven (7) days from March 3, 2005, through March 9, 2005. During this period, the estimated emissions were 25 lbs./hr. of additional particulate.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3) states, in pertinent part, that "No person shall violate any condition of a permit to construct or a permit to operate. ..."

National Starch and Chemical Company is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

The parties agree that settlement of this Notice of Violations is in the public interest and consent to the entry of this Compliance Agreement, without further litigation, as the most appropriate means of resolving the issues raised herein. The parties agree that, pursuant to Section 103-501 through 513 of the Revised Code of the Consolidated City and County, an Administrative Hearing Officer has authority and jurisdiction to approve, modify and enforce this Compliance Agreement and to assess stipulated penalties, resolve disputes which arise under and take any action necessary or appropriate for the construction or implementation of this Compliance Agreement. Entry into this Compliance Agreement constitutes a full resolution of all enforcement issues or potential enforcement issues related to the Notice of Violation and City shall not hereafter bring any

enforcement action for the same alleged violations with the exception of any action necessary to enforce the terms of this Compliance Agreement. The parties agree to and shall be bound by the requirements of this Compliance Agreement.

NOW, THEREFORE, before the taking of any testimony, and without a hearing of any issue of fact or law and upon the consent of the parties, it is agreed by the parties and approved by the authorized Administrative Hearing Officer:

COMPLIANCE PROGRAM

1. National Starch agrees to comply with Chapter 511 of the Municipal Code of Indianapolis and Marion County, Indiana ("Chapter 511"), and with the Rules and Regulations of the Indianapolis Air Pollution Control Board ("the Regulations"), in all of its future operations.

GENERAL PROVISIONS

2. **Monetary Settlement.** This Compliance Agreement is in full settlement and satisfaction of all matters alleged in the Notice of Violation dated October 1, 2007. Entry into this Compliance Agreement does not constitute an admission of any violation. Entry into this Compliance Agreement constitutes a full resolution of all enforcement issues or potential enforcement issues related to the Notice of Violation and the City shall not hereafter bring any enforcement action for the same alleged violations with the exception of any action necessary to enforce the terms of this Compliance Agreement.

A. The payment of a civil penalty of Thirty-Four Thousand Eight Hundred Dollars (\$34,800.00) shall be submitted by National Starch in the form of a check made payable to the **City of Indianapolis Office of Finance and Management** and delivered within thirty (30) days from the date of the Administrative Hearing Officer's approval of this Compliance Agreement to the following:

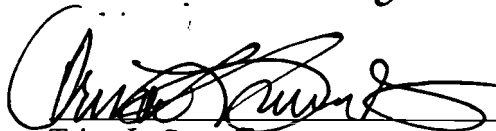
Enforcement Program Manager
City of Indianapolis
Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

3. **Retention of Jurisdiction.** This Administrative Hearing Officer shall retain jurisdiction over this matter to modify or enforce the terms of this Compliance Agreement, including payment of Monetary Settlement, to assess stipulated penalties, to resolve disputes arising under the terms of this Compliance Agreement, or to take any action necessary or appropriate for construction or implementation of this Compliance Agreement.

4. **Effective Date.** This Compliance Agreement shall be effective upon the date that it is approved by the Administrative Hearing Officer.

5. **Satisfaction of Judgment.** This Compliance Agreement shall be deemed satisfied upon the completion and acceptance thereof by the City of each condition or obligation placed upon National Starch herein and upon payment by National Starch of all-civil penalties as provided for in Section 2 hereof.

IT SO ORDERED THIS 18th day of January, 2008



Trina L. Saunders
ADMINISTRATIVE HEARING OFFICER
Authorized by Section 103-03 of the
Revised Code of the Consolidated City and County

FOR PLAINTIFF
City of Indianapolis

By: _____
Stephanie A. Roth
Assistant Corporation Counsel
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Dated: _____

FOR DEFENDANT
INDOPCO, Inc.
d/b/a National Starch and Chemical Company

By: _____
Signature

Printed Name

Title

Dated: _____

Copies to:

Ms. Cheryl Carlson
Enforcement Program Manager
Office of Environmental Services
City of Indianapolis
2700 South Belmont Avenue
Indianapolis, Indiana 46221

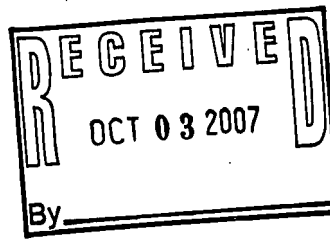
Ms. Stephanie A. Roth
Assistant Corporation Counsel
City of Indianapolis
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Mr. Ronald McCrimmond
Director of Manufacturing
INDOPCO, Inc.
d/b/a National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Certified Mail Number 7005 0390 0000 6271 4086

October 1, 2007

Mr. Ronald McCrimmond
Director of Manufacturing
INDOPCO, Inc.
d/b/a National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206



Dear Mr. McCrimmond:


Attached is a revised Notice of Violation pursuant to Section 511-601 of the Air Pollution Control Ordinance of the Revised Code of the Consolidated City of Indianapolis and Marion County, Indiana. This Notice of Violation replaces the one issued on January 6, 2006. This Notice of Violation identifies additional violations noted in bold that have occurred since the issuance of the Notice of Violation on January 6, 2006.

Additionally, please find enclosed a proposed Compliance Agreement as resolution of this matter. If the Compliance Agreement is acceptable, please sign and return it to Ms. Cheryl Carlson, Enforcement Program Manager, within thirty (30) days from receipt. If the Compliance Agreement is signed and returned, a hearing with the Hearing Officer will not take place. The agreement will be forwarded to the Administrative Hearing Officer for approval and execution.

As a matter of formality in resolution of this matter, a Notice of Hearing with the Administrative Hearing Officer is also included. The hearing is scheduled for Thursday, January 17, 2008, at 1:00 p.m. in Room 224 of the City-County Building, 200 East Washington Street, Indianapolis, Indiana.

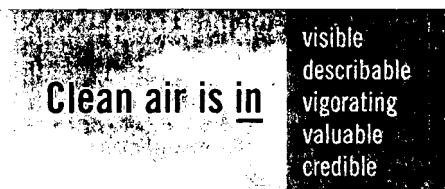
Please contact this office within ten (10) days of receipt to schedule a conference if you would like to discuss the Notice of Violation and proposed Compliance Agreement. If you wish to discuss this matter further, please contact Ms. Cheryl Carlson, Enforcement Program Manager, at the address below or by telephone at (317) 327-2281.

Sincerely,


Felicia A. Robinson
Administrator

FAR:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
Stephanie Roth, Assistant Corporation Counsel
Amanda Hennessy, Permitting Program Manager, OES
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Senior Project Manager/Permitting, OES
Derek Eisman, Project Manager/Compliance, OES
Lynne Sullivan, Office of Enforcement, IDEM
Phil Perry, Office of Air Quality, IDEM
Rochelle Marceillars, United States Environmental Protection Agency, Region V
Denise Curtis, Environmental Manager, National Starch and Chemical Company



Air Quality Hotline: 317-327-4AIR | knozone.com

Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
TDD 327-5186
indygov.org/dpw

Office of Environmental Services
Department of Public Works
City of Indianapolis

October 1, 2007

Notice of Violation



Pursuant to Chapter 511, Section 601, the City of Indianapolis Office of Environmental Services (City) hereby issues this Notice of Violation. Within sixty (60) days of the date of this Notice of Violation, the City may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed and prosecute this case in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice. Any person found in violation of the Air Pollution Control Ordinance, any Indianapolis Air Pollution Control Board regulation, or any permit issued by the City is subject to a fine of up to \$10,000.00 per day per violation. The City of Indianapolis Office of Environmental Services hereby notes the following ordinance violation:

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3)
Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3) states, in pertinent part, that "No person shall violate any condition of a permit to construct or a permit to operate. ..."

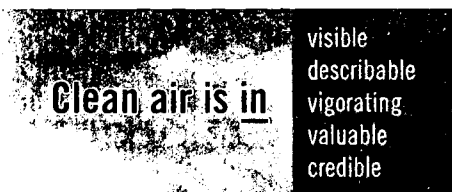
Violator's Name: INDOPCO, Inc.
d/b/a National Starch and Chemical Company

Location: P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Responsible Official: Mr. Ronald McCrimmond, Director of Manufacturing

Dates of Violations:

1. - 15.	April 11, 2004, through April 25, 2004 (15 days)
16. - 20.	Week of September 20, 2004, week of December 6, 2004, week of August 22, 2005, week of August 29, 2005, and week of December 4, 2006 (5 occasions)
21. - 23.	Week of November 22, 2004, week of August 22, 2005, and week of August 29, 2005 (3 occasions)
24.	Week of June 7, 2004 (1 occasion)



Air Quality Hotline: 317-327-4AIR | knozone.com

Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
TDD 327-5186
indygov.org/dpw



- 25. Week of November 15, 2004 (1 occasion)
- 26. Week of December 19, 2005 (1 occasion)
- 27. Week of October 25, 2004 (1 occasion)
- 28. Week of July 19, 2004 (1 occasion)
- 29. - 31. Week of January 31, 2005, and February 7, 2005 (3 occasions)
- 32. - 37. Week of October 4, 2004 (1 week for 6 scrubbers which is 6 occasions)
- 38. - 55. **January 29, 2006, January 30, 2006, and May 22, 2006 (18 occasions)**
- 56. - 62. Week of March 14, 2005, week of March 21, 2005, and week of March 28, 2005 (7 occasions)
- 63. - 74. **April 4, 2005, April 11, 2005, April 18, 2005, April 25, 2005, May 2, 2005, May 16, 2005, and May 23, 2005 (12 occasions)**
- 75. - 179. April 11, 2004, through April 25, 2004 and **May 12, 2006** (15 days for 7 baghouses which equals 105 occasions)
- 180. - 291. Various dates from April 27, 2004, through December 30, 2004, **January 3, 2005, January 4, 2005, January 6, 2005, January 7, 2005, January 10, 2005, through January 12, 2005, January 15, 2005, January 22, 2005, January 31, 2005, February 7, 2005, February 7, 2005, February 9, 2005, February 11, 2005, February 13, 2005, February 14, 2005, February 17, 2005 through February 19, 2005, February 24, 2005, February 25, 2005, February 27, 2005, February 27, 2005, February 28, 2005, March 2, 2005, through March 8, 2005, March 10, 2005, through March 12, 2005, March 14, 2005, through March 16, 2005, and March 19, 2005, through March 31, 2005 (112 occasions)**
- 292. - 297. October 25, 2004, through October 30, 2004 (112 occasions)
- 298. - 436. June 7, 2004, through July 13, 2004, July 13, 2004, through October 24, 2004 and **May 22, 2006 (139 days)**
- 437. - 649. Various dates from July 14, 2004, through March 29, 2005 (213 days)
- 650. - 693. **Various dates from February 3, 2005, through June 18, 2005 (44 days)**
- 694. - 698. September 30, 2004, December 11, 2004, March 27, 2005, **December 25, 2005, and March 6, 2006 (5 occasions)**
- 699. - 1037. Various dates from April 14, 2004, through **July 2,**

- 2006 (338 days)**
1038. - 1039. November 22, 2004, and November 23, 2004 (2 days)
1040. - 1203. Various dates from April 27, 2004, through **May 8, 2005 (164 days)**
1204. - 1205. November 22, 2004, and November 23, 2004 (2 days)
1206. - 1209. July 23, 2004, through July 26, 2004 (4 days)
1210. - 1212. December 11, 2004, through December 13, 2004 (3 days)
1213. - 1339. January 1, 2005, through March 31, 2005, **April 1, 2005, through May 1, 2005, November 13, 2006, through November 15, 2006, and November 17, 2006, through November 19, 2006 (127 days)**
1340. - 1349. **August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006 (10 days)**
1349. - 1357. March 3, 2005, through March 9, 2005 (7 days)

Background Information:

On March 24, 1997, the City of Indianapolis Office of Environmental Services (City) issued Construction Permit number CP-09700042-01, to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis, Indiana, for the construction of the By-Products Rebuild (including EU 575-2 and EU 575-3).

On March 10, 2000, the City issued Minor Source Modification number 097-11764-0042 to National Starch and Chemical Company for the North Packing line (EU 577-2).

On August 30, 2000, the City issued Significant Source Modification number 097-11362-00042 to National Starch and Chemical Company for the Spray Agglomerator Process (including EU 5549-20 and 5549-21).

On April 14, 2004, the City issued Part 70 Operating Permit number T097-7714-00042 to National Starch. According to Sections C.15 and C.18 of the Part 70 Operating Permit, a Compliance Response Plan and recordkeeping for new permit requirements shall be prepared and implemented within ninety (90) days of permit issuance; therefore, the new requirements became effective on July 14, 2004. Additionally, on October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit number T097-7714-00042. Both the new Part 70 Operating Permit requirements and the Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

On December 8, 2006, the City issued First Significant Permit Modification T097-20891-00042 to National Starch. The permit modification revised the allowable pressure drop ranges for the scrubbers in Section D.1.9.b. of Part 70 Operating Permit number T097-7714-00042 and revised the allowable pressure drop ranges for the baghouses in Section D.2.7.c. of T097-7714-00042.

The First Significant Permit Modification also eliminated the scrubber used to control SO₂ emissions from units 5502-1A (Feed Dryer), 5502-1B (Germ Dryer), and 5502-1C (Gluten Dryer) with a first effect wash water system to control SO₂ emissions from unit 5502-1A only. A performance test conducted on January 11, 2006, demonstrated that the first effect wash water system controlled SO₂ emissions below the allowable limit.

On August 23, 2007, the City issued Significant Permit Modification SPM097-24287-00042 to combine two (2) emission points (Hammer Mil and the Truck Loadout) into one (1) emission point controlled by a common baghouse and exhausting to stack 5502-3. The Truck Loadout (identified as unit 5503-6) has been combined with the emissions from the Hammer Mill (identified as unit 5502-3) and both exhaust to stack 5502-3 and the requirements for collector for 5503-6 have been eliminated.

Evidence of Violations:

Based upon inspections conducted by the City on February 23, 2005, February 24, 2005, June 13, 2006, June 27, 2006, April 30, 2007, May 17, 2007, and May 18, 2007, and quarterly deviation and compliance monitoring reports from the second quarter 2004 through the fourth quarter 2006 submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (Failure to document visible emission notations for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 18, visible emission notations of the exhaust from stack EU 575-3 were required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 20. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of December 4, 2006, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70

Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on five (5) occasions during the weeks of September 20, 2004, December 6, 2004, August 22, 2005, August 29, 2005, and December 4, 2006.

Violations 21. - 23. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of November 22, 2004, August 22, 2005, and August 29, 2005.

Violation 24. (Failure to implement Preventative Maintenance Plan for EU 575-3)

During the week of June 7, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 17, the pressure drop across the scrubber is required to be monitored at least once per week. The Preventative Maintenance Plan for the scrubber is required to contain troubleshooting contingency and corrective actions for when the pressure drop readings are outside of the normal range for any one reading.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of June 7, 2004.

Violation 25. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the

range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of November 15, 2004.

Violation 26. (Failure to document scrubber circulation rate for EU 575-3)

During the week of December 19, 2005, National Starch failed to document the scrubber circulation rate for the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the scrubber recirculation rate for the scrubber is required to be monitored at least once per week.

National Starch failed to document the scrubber circulation rate on one (1) occasion during the week of December 19, 2005.

Violation 27. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of October 25, 2004.

Violation 28. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 29. - 31. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan

is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 32. - 37. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 38. - 55. (Failure to document visible emissions for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

On January 29, 2006, January 30, 2006, and May 22, 2006, National Starch failed to record the visible emission notations from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.7.a., visible emission notations of the exhaust stack are required to be performed once per day.

National Starch failed to document compliance of the visible emission notation requirement for six (6) wet scrubbers on January 29, 2006, January 30, 2006, and May 22, 2006, for a total of eighteen (18) occasions.

Violations 56. - 62. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)

During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three-week periods between the week of March 14, 2005, through the week

of March 28, 2005.

Violations 63. - 74. (Failure to implement Compliance Response Plan for EU 40-4, EU 40-2, and EU 575-1)

On April 25, 2005, May 2, 2005, May 16, 2005, and May 23, 2005, for EU 575-1, on April 4, 2005, April 11, 2005, April 18, 2005, and April 25, 2005, for EU 40-4 and EU 40-2, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on twelve (12) occasions between April 4, 2005, and May 23, 2005.

Violations 75. - 179. (Failure to document visible emission notations for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Construction Permit 9700042-01, Section 18., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

On May 22, 2006, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.6.b., the visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fifteen (15) days for a total of one hundred five (105) missing records.

Violations 180 - 291. (Failure to implement Compliance Response Plan for EU 577-2)

On thirty-one (31) days between April 27, 2004, and December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than

three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per day. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Minor Source Modification number 097-11764-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

On January 3, 2005, January 4, 2005, January 6, 2005, January 7, 2005, January 10, 2005, though January 12, 2005, January 15, 2005, January 22, 2005, January 31, 2005, February 4, 2005, February 7, 2005, February 9, 2005, February 11, 2005, February 13, 2005, February 14, 2005, February 17, 2005, through February 19, 2005, February 24, 2005, February 25, 2005, February 27, 2005, February 28, 2005, March 2, 2005, through March 8, 2005, March 10, 2005, through March 12, 2005, March 14, 2005, through March 16, 2005, and March 19, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 5, 2005, April 7, 2005, through April 24, 2005, and April 26, 2005, through April 29, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On November 13, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twelve (112) days between April 24, 2004, and November 13, 2006.

Violations 292. - 297. (Failure to implement Compliance Response Plan for EU 577-2)

From October 25, 2004, through October 30, 2004, National Starch exceeded the allowable

pressure drop requirement. The pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the baghouse is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps from October 25, 2004, through October 30, 2004, on six (6) occasions.

Violations 298. - 436. (Failure to document total static pressure drop for EU 577-2)

From June 7, 2004, through July 13, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Minor Source Modification number 097-11764, Section D.1.8(b), the total static pressure drop across the National Starch was required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on thirty-six (36) days from June 7, 2004, through July 13, 2004.

From July 14, 2004, through October 24, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

On May 22, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be recorded at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on **one hundred three (103)** days between July 14, 2004, and **May 22, 2006.**

Violations 437. - 649. (Failure to implement Compliance Response Plan for EU 5549-13)

On various days from July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the

baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for two hundred thirteen (213) days between July 14, 2004, and March 29, 2005.

Violations 650. - 693. (Failure to implement Compliance Response Plan for EU 5549-13)

On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 4, 2005, through April 30, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From December 26, 2005, through December 28, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On March 9, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On May 7, 2006, and from June 16, 2006, through June 18, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for **forty-four (44)** days between February 3, 2005, and **June 18, 2006**.

Violations 694. - 698. (Failure to document total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

On March 27, 2005, December 25, 2005, and March 6, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day.

National Starch failed to document compliance of the total static pressure drop requirement on **five (5)** days on September 30, 2004, and **March 6, 2006**.

Violations 699. - 1037. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

From February 21, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 10, 2005, April 15, 2005, April 16, 2005, May 4, 2005, through May 8, 2005, National Starch was below the allowable total static pressure drop

requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On July 2, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for **three hundred thirty-eight (338)** days between April 14, 2004, and July 2, 2006.

Violations 1038. - 1039. (Failure to document total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1040. - 1203. (Failure to implement Compliance Response Plan for EU 5549-21)

On various days between April 27, 2004, and May 8, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for **one hundred sixty-four (164)** days between April 27, 2004, and May 8, 2005.

Violations 1204. - 1205. (Failure to document total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total

static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1206. - 1209. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating while the process was operating. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during four (4) days from July 23, 2004, through July 26, 2004.

Violations 1210. - 1212. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during three (3) days from December 11, 2004, through December 13, 2004.

Violations 1213. - 1339. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through May 1, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the second quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static

pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From November 13, 2006, through November 15, 2006, and November 17, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twenty-seven (127) days between January 1, 2005, and November 19, 2006.

Violations 1340. - 1349. (Failure to implement Compliance Response Plan for EU 5503-6)

On August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-6 for the Truck Loadout Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for ten (10) days on August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006.

Violations 1350. - 1357. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)

From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section C.5., all air pollution control equipment listed in the permit and used to comply with an applicable requirement shall be operated at all times that the emission units are vented to the control equipment are in operation.

Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM₁₀) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.). National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/PM₁₀ limit on seven (7)

STATE OF INDIANA)	ADMINISTRATIVE ADJUDICATION
) SS:	
COUNTY OF MARION)	DOCKET NO. 07-A-0280
CITY OF INDIANAPOLIS,)	
)	
Plaintiff,)	
)	
vs.)	
)	
INDOPCO, INC.)	
d/b/a NATIONAL STARCH AND)	
CHEMICAL COMPANY,)	
)	
Defendant.)	

COMPLIANCE AGREEMENT

Plaintiff is the City of Indianapolis, ("City") a body corporate and politic, acting through its Department of Public Works, Office of Environmental Services ("OES").

Defendant is INDOPCO, Inc. d/b/a National Starch and Chemical Company ("National Starch"), a corporation authorized to conduct business in the City of Indianapolis, Indiana.

The Notice of Violation in this cause was issued on or about January 6, 2006, and revised on October 1, 2007, alleging that National Starch violated Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3). More specifically, National Starch was alleged to have failed to keep visible emission notation records, to implement the Compliance Response Plan, implement the Preventative Maintenance Plan, to document the scrubber circulation rate, to keep the baghouse pressure drop records, to operate the sulfur dioxide scrubber, and to operate the Regenerative Thermal Oxidizer.

In the Notice of Violation, the City further alleged the following:

Background Information:

On March 24, 1997, the City of Indianapolis Office of Environmental Services (City) issued Construction Permit number CP-09700042-01, to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis, Indiana, for the construction of the By-Products Rebuild (including EU 575-2 and EU 575-3).

On March 10, 2000, the City issued Minor Source Modification number 097-11764-0042 to National Starch and Chemical Company for the North Packing line (EU 577-2).

On August 30, 2000, the City issued Significant Source Modification number 097-11362-00042 to National Starch and Chemical Company for the Spray Agglomerator Process (including EU 5549-20 and 5549-21).

On April 14, 2004, the City issued Part 70 Operating Permit number T097-7714-00042 to National Starch. According to Sections C.15 and C.18 of the Part 70 Operating Permit, a Compliance Response Plan and recordkeeping for new permit requirements shall be prepared and implemented within ninety (90) days of permit issuance; therefore, the new requirements became effective on July 14, 2004. Additionally, on October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit number T097-7714-00042. Both the new Part 70 Operating Permit requirements and the Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

On December 8, 2006, the City issued First Significant Permit Modification T097-20891-00042 to National Starch. The permit modification revised the allowable pressure drop ranges for the scrubbers in Section D.1.9.b. of Part 70 Operating Permit number T097-7714-00042 and revised the allowable pressure drop ranges for the baghouses in Section D.2.7.c. of T097-7714-00042. The First Significant Permit Modification also eliminated the scrubber used to control SO₂ emissions from units 5502-1A (Feed Dryer), 5502-1B (Germ Dryer), and 5502-1C (Gluten Dryer) with a first effect wash water system to control SO₂ emissions from unit 5502-1A only. A performance test conducted on January 11, 2006, demonstrated that the first effect wash water system controlled SO₂ emissions below the allowable limit.

On August 23, 2007, the City issued Significant Permit Modification SPM097-24287-00042 to combine two (2) emission points (Hammer Mill and the Truck Loadout) into one (1) emission point controlled by a common baghouse and exhausting to stack 5502-3. The Truck Loadout (identified as unit 5503-6) has been combined with the emissions from the Hammer Mill (identified as unit 5502-3) and both exhaust to stack 5502-3 and the requirements for collector for 5503-6 have been eliminated.

Evidence of Violations:

Based upon inspections conducted by the City on February 23, 2005, February 24, 2005, June 13, 2006, June 27, 2006, April 30, 2007, May 17, 2007, and May 18, 2007, and quarterly deviation and compliance monitoring reports from the second quarter 2004 through the fourth quarter 2006 submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (Failure to document visible emission notations for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 18, visible emission notations of the exhaust from stack EU 575-3 were required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 20. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of December 4, 2006, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on five (5) occasions during the weeks of September 20, 2004, December 6, 2004, August 22, 2005, August 29, 2005, and December 4, 2006.

Violations 21. - 23. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the

scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of November 22, 2004, August 22, 2005, and August 29, 2005.

Violation 24. (Failure to implement Preventative Maintenance Plan for EU 575-3)

During the week of June 7, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 17, the pressure drop across the scrubber is required to be monitored at least once per week. The Preventative Maintenance Plan for the scrubber is required to contain troubleshooting contingency and corrective actions for when the pressure drop readings are outside of the normal range for any one reading.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of June 7, 2004.

Violation 25. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of November 15, 2004.

Violation 26. (Failure to document scrubber circulation rate for EU 575-3)

During the week of December 19, 2005, National Starch failed to document the scrubber circulation rate for the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the scrubber recirculation rate for the scrubber is required to be monitored at least once per week.

National Starch failed to document the scrubber circulation rate on one (1) occasion during the week of December 19, 2005.

Violation 27. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of October 25, 2004.

Violation 28. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 29. - 31. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 32. - 37. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2,

EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 38. – 55. (Failure to document visible emissions for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

On January 29, 2006, January 30, 2006, and May 22, 2006, National Starch failed to record the visible emission notations from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.7.a., visible emission notations of the exhaust stack are required to be performed once per day.

National Starch failed to document compliance of the visible emission notation requirement for six (6) wet scrubbers on January 29, 2006, January 30, 2006, and May 22, 2006, for a total of eighteen (18) occasions.

Violations 56. - 62. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)

During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three-week periods between the week of March 14, 2005, through the week of March 28, 2005.

Violations 63. - 74. (Failure to implement Compliance Response Plan for EU 40-4, EU 40-2, and EU 575-1)

On April 25, 2005, May 2, 2005, May 16, 2005, and May 23, 2005, for EU 575-1, on April 4,

2005, April 11, 2005, April 18, 2005, and April 25, 2005, for EU 40-4 and EU 40-2, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on twelve (12) occasions between April 4, 2005, and May 23, 2005.

Violations 75. - 179. (Failure to document visible emission notations for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Construction Permit 9700042-01, Section 18., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

On May 22, 2006, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.6.b., the visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fifteen (15) days for a total of one hundred five (105) missing records.

Violations 180 - 291. (Failure to implement Compliance Response Plan for EU 577-2)

On thirty-one (31) days between April 27, 2004, and December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and

D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per day. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Minor Source Modification number 097-11764-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

On January 3, 2005, January 4, 2005, January 6, 2005, January 7, 2005, January 10, 2005, though January 12, 2005, January 15, 2005, January 22, 2005, January 31, 2005, February 4, 2005, February 7, 2005, February 9, 2005, February 11, 2005, February 13, 2005, February 14, 2005, February 17, 2005, through February 19, 2005, February 24, 2005, February 25, 2005, February 27, 2005, February 28, 2005, March 2, 2005, through March 8, 2005, March 10, 2005, through March 12, 2005, March 14, 2005, through March 16, 2005, and March 19, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 5, 2005, April 7, 2005, through April 24, 2005, and April 26, 2005, through April 29, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On November 13, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twelve (112) days between April 24, 2004, and November 13, 2006.

Violations 292. - 297. (Failure to implement Compliance Response Plan for EU 577-2)

From October 25, 2004, through October 30, 2004, National Starch exceeded the allowable

pressure drop requirement. The pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the baghouse is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps from October 25, 2004, through October 30, 2004, on six (6) occasions.

Violations 298. - 436. (Failure to document total static pressure drop for EU 577-2)

From June 7, 2004, through July 13, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Minor Source Modification number 097-11764, Section D.1.8(b), the total static pressure drop across the National Starch was required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on thirty-six (36) days from June 7, 2004, through July 13, 2004.

From July 14, 2004, through October 24, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

On May 22, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be recorded at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on one hundred three (103) days between July 14, 2004, and May 22, 2006.

Violations 437. - 649. (Failure to implement Compliance Response Plan for EU 5549-13)

On various days from July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch exceeded the allowable total

static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for two hundred thirteen (213) days between July 14, 2004, and March 29, 2005.

Violations 650. - 693. (Failure to implement Compliance Response Plan for EU 5549-13)
On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 4, 2005, through April 30, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From December 26, 2005, through December 28, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On March 9, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On May 7, 2006, and from June 16, 2006, through June 18, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was

recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for forty-four (44) days between February 3, 2005, and June 18, 2006.

Violations 694. - 698. (Failure to document total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

On March 27, 2005, December 25, 2005, and March 6, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day.

National Starch failed to document compliance of the total static pressure drop requirement on five (5) days on September 30, 2004, and March 6, 2006.

Violations 699. - 1037. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

From February 21, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less

than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 10, 2005, April 15, 2005, April 16, 2005, May 4, 2005, through May 8, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On July 2, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for three hundred thirty-eight (338) days between April 14, 2004, and July 2, 2006.

Violations 1038. - 1039. (Failure to document total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1040. - 1203. (Failure to implement Compliance Response Plan for EU 5549-21)

On various days between April 27, 2004, and May 8, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for one hundred sixty-four (164) days between April 27, 2004, and May 8, 2005.

Violations 1204. - 1205. (Failure to document total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1206. - 1209. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating while the process was operating. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during four (4) days from July 23, 2004, through July 26, 2004.

Violations 1210. - 1212. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during three (3) days from December 11, 2004, through December 13, 2004.

Violations 1213. - 1339. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through May 1, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the second quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From November 13, 2006, through November 15, 2006, and November 17, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twenty-seven (127) days between January 1, 2005, and November 19, 2006.

Violations 1340. - 1349. (Failure to implement Compliance Response Plan for EU 5503-6)

On August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-6 for the Truck Loadout Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for ten (10) days on

August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006.

Violations 1350. - 1357. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)

From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section C.5., all air pollution control equipment listed in the permit and used to comply with an applicable requirement shall be operated at all times that the emission units are vented to the control equipment are in operation.

Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM₁₀) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.). National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/PM₁₀ limit on seven (7) days from March 3, 2005, through March 9, 2005. During this period, the estimated emissions were 25 lbs./hr. of additional particulate.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3) states, in pertinent part, that "No person shall violate any condition of a permit to construct or a permit to operate. ..."

National Starch and Chemical Company is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

The parties agree that settlement of this Notice of Violations is in the public interest and consent to the entry of this Compliance Agreement, without further litigation, as the most appropriate means of resolving the issues raised herein. The parties agree that, pursuant to Section 103-501 through 513 of the Revised Code of the Consolidated City and County, an Administrative Hearing Officer has authority and jurisdiction to approve, modify and enforce this Compliance Agreement and to assess stipulated penalties, resolve disputes which arise under and take any action necessary or appropriate for the construction or implementation of this Compliance Agreement. Entry into this Compliance Agreement constitutes a full resolution of all enforcement issues or potential enforcement issues related to the Notice of Violation and City shall not hereafter bring any

enforcement action for the same alleged violations with the exception of any action necessary to enforce the terms of this Compliance Agreement. The parties agree to and shall be bound by the requirements of this Compliance Agreement.

NOW, THEREFORE, before the taking of any testimony, and without a hearing of any issue of fact or law and upon the consent of the parties, it is agreed by the parties and approved by the authorized Administrative Hearing Officer:

COMPLIANCE PROGRAM

1. National Starch agrees to comply with Chapter 511 of the Municipal Code of Indianapolis and Marion County, Indiana ("Chapter 511"), and with the Rules and Regulations of the Indianapolis Air Pollution Control Board ("the Regulations"), in all of its future operations.

GENERAL PROVISIONS

2. **Monetary Settlement.** This Compliance Agreement is in full settlement and satisfaction of all matters alleged in the Notice of Violation. Entry into this Compliance Agreement does not constitute an admission of any violation. Entry into this Compliance Agreement constitutes a full resolution of all enforcement issues or potential enforcement issues related to the Notice of Violation and the City shall not hereafter bring any enforcement action for the same alleged violations with the exception of any action necessary to enforce the terms of this Compliance Agreement.

- A. The payment of a civil penalty of Thirty-Four Thousand Eight Hundred Dollars (\$34,800.00) shall be submitted by National Starch in the form of a check made payable to the **City of Indianapolis Office of Finance and Management** and delivered within thirty (30) days from the date of the Administrative Hearing Officer's approval of this Compliance Agreement to the following:

Enforcement Program Manager
City of Indianapolis
Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

3. **Retention of Jurisdiction.** This Administrative Hearing Officer shall retain jurisdiction over this matter to modify or enforce the terms of this Compliance Agreement to assess stipulated penalties, to resolve disputes arising under the terms of this Compliance Agreement, or to take any action necessary or appropriate for construction or implementation of this Compliance Agreement.

4. **Effective Date.** This Compliance Agreement shall be effective upon the date that it is approved by the Administrative Hearing Officer.

5. **Satisfaction of Judgment.** This Compliance Agreement shall be deemed satisfied upon the completion and acceptance thereof by the City of each condition or obligation placed upon National Starch herein and upon payment by National Starch of all civil penalties as provided for in Section 2 hereof.

IT SO ORDERED THIS _____ day of _____, 2007.

Trina L. Saunders
ADMINISTRATIVE HEARING OFFICER
Authorized by Section 103-03 of the
Revised Code of the Consolidated City and County

FOR PLAINTIFF
City of Indianapolis

By: _____
Stephanie A. Roth
Assistant Corporation Counsel
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Dated: _____

FOR DEFENDANT
INDOPCO, Inc.
d/b/a National Starch and Chemical Company

By: _____
Signature

Dated: _____

Printed Name

Title

Copies to:

Ms. Cheryl Carlson
Enforcement Program Manager
Office of Environmental Services
City of Indianapolis
2700 South Belmont Avenue
Indianapolis, Indiana 46221

Ms. Stephanie A. Roth
Assistant Corporation Counsel
City of Indianapolis
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Mr. Ronald McCrimmond
Director of Manufacturing
INDOPCO, Inc.
d/b/a National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

STATE OF INDIANA)
) SS:
COUNTY OF MARION)
CITY OF INDIANAPOLIS,)

ADMINISTRATIVE ADJUDICATION

DOCKET NO. 07-A-0280

Plaintiff,

vs.

INDOPCO, INC.
d/b/a NATIONAL STARCH AND
CHEMICAL COMPANY,

Defendant.

Notice of Administrative Hearing

You are hereby notified that an Administrative Hearing on the attached Notice of Violation will be held on January 17, 2008, at 1:00 p.m. at the location of Room 224 of the City-County Building, 200 East Washington Street, Indianapolis, Indiana 46204.

The following is a summary of the violation(s) alleged in the Notice of Violation. The maximum penalty which may be assessed is \$10,000.00 per violation per day.

National Starch was alleged to have failed to keep visible emission notation records, to implement the Compliance Response Plan, implement the Preventative Maintenance Plan, to document the scrubber circulation rate, to keep the baghouse pressure drop records, to operate the sulfur dioxide scrubber, and to operate the Regenerative Thermal Oxidizer at 1515 South Drover Street, Indianapolis, Indiana, on various dates between April 11, 2004, and November 13, 2006.

The Administrative Hearing will be held before Ms. Trina L. Saunders, Administrative Hearing Officer, pursuant to Article V of Section 103 of the Revised Code of Indianapolis and Marion County.

The purpose of the hearing is to give the recipient of the Notice of Violation or his legal counsel the opportunity to present written and oral evidence, cross-examine witnesses and present arguments relevant to the violations alleged in the Notice of Violation. The City of Indianapolis, by its Department of Public Works, Office of Environmental Services, has the burden of proving at the hearing that the alleged violations occurred.

If you or your representative do not appear at the hearing, the matter may be determined in your absence and a fine not to exceed \$10,000.00 per violation per day may be assessed against you.

If you have any questions about the hearing or the Notice of Violation, please contact Ms. Cheryl Carlson, Enforcement Program Manager, 2700 South Belmont Avenue, Indianapolis, Indiana, 46221, (317)327-2234.

This Notice of Administrative Hearing issued by the City of Indianapolis, Department of Public Works, Office of Environmental Services on the 1 day of October, 2007.

City of Indianapolis,
Department of Public Works,
Office of Environmental Services

By:



Felicia A. Robinson
Administrator
Office of Environmental Services
City of Indianapolis
2700 South Belmont Avenue
Indianapolis, Indiana 46221
(317)327-2234

Certificate of Service for Notice of Administrative Hearing

The undersigned certifies that a copy of the foregoing was sent to the following recipient(s) of the Notice of Violation by first-class United States mail, postage prepaid, on the 15th day of October, 2007.

Mr. Ronald McCrimmond
Director of Manufacturing
INDOPCO, Inc.
d/b/a National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206


Debbie Frye
Office of Environmental Services

Copies also to:

Administrative Hearing Officer:
Ms. Trina L. Saunders
Attorney at Law
133 West Market Street, #238
Indianapolis, Indiana 46201-2801

Attorney for Plaintiff:
Ms. Stephanie Roth
Assistant Corporation Counsel
City of Indianapolis
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Certified Mail Number 7005 0390 0000 6271 4086

September 11, 2007

Mr. Ronald McCrimmond
Director of Manufacturing
INDOPCO, Inc.
d/b/a National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Dear Mr. McCrimmond:

Attached is a revised Notice of Violation pursuant to Section 511-601 of the Air Pollution Control Ordinance of the Revised Code of the Consolidated City of Indianapolis and Marion County, Indiana. This Notice of Violation replaces the one issued on January 6, 2006. This Notice of Violation identifies additional violations noted in bold that have occurred since the issuance of the Notice of Violation on January 6, 2006.

Additionally, please find enclosed a proposed Compliance Agreement as resolution of this matter. If the Compliance Agreement is acceptable, please sign and return it to Ms. Cheryl Carlson, Enforcement Program Manager, within thirty (30) days from receipt. If the Compliance Agreement is signed and returned, a hearing with the Hearing Officer will not take place. The agreement will be forwarded to the Administrative Hearing Officer for approval and execution.

As a matter of formality in resolution of this matter, a Notice of Hearing with the Administrative Hearing Officer is also included. The hearing is scheduled for Thursday, January 17, 2008, at 1:00 p.m. in Room 224 of the City-County Building, 200 East Washington Street, Indianapolis, Indiana.

Please contact this office within ten (10) days of receipt to schedule a conference if you would like to discuss the Notice of Violation and proposed Compliance Agreement. If you wish to discuss this matter further, please contact Ms. Cheryl Carlson, Enforcement Program Manager, at the address below or by telephone at (317) 327-2281.

Sincerely,

Felicia A. Robinson
Administrator

FAR:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
Stephanie Roth, Assistant Corporation Counsel
Amanda Hennessy, Permitting Program Manager, OES
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Senior Project Manager/Permitting, OES
Derek Eisman, Project Manager/Compliance, OES
Lynne Sullivan, Office of Enforcement, IDEM
Phil Perry, Office of Air Quality, IDEM
Rochelle Marceillars, United States Environmental Protection Agency, Region V
Denise Curtis, Environmental Manager, National Starch and Chemical Company

1

- 25. Week of November 15, 2004 (1 occasion)
- 26. Week of December 19, 2005 (1 occasion)
- 27. Week of October 25, 2004 (1 occasion)
- 28. Week of July 19, 2004 (1 occasion)
- 29. - 31. Week of January 31, 2005, and February 7, 2005 (3 occasions)
- 32. - 37. Week of October 4, 2004 (1 week for 6 scrubbers which is 6 occasions)
- 38. - 55. **January 29, 2006, January 30, 2006, and May 22, 2006 (18 occasions)**
- 56. - 62. Week of March 14, 2005, week of March 21, 2005, and week of March 28, 2005 (7 occasions)
- 63. - 74. **April 4, 2005, April 11, 2005, April 18, 2005, April 25, 2005, May 2, 2005, May 16, 2005, and May 23, 2005 (12 occasions)**
- 75. - 179. April 11, 2004, through April 25, 2004 and May 12, 2006 (15 days for 7 baghouses which equals 105 occasions)
- 180. - 291. Various dates from April 27, 2004, through December 30, 2004, **January 3, 2005, January 4, 2005, January 6, 2005, January 7, 2005, January 10, 2005, through January 12, 2005, January 15, 2005, January 22, 2005, January 31, 2005, February 7, 2005, February 7, 2005, February 9, 2005, February 11, 2005, February 13, 2005, February 14, 2005, February 17, 2005 through February 19, 2005, February 24, 2005, February 25, 2005, February 27, 2005, February 27, 2005, February 28, 2005, March 2, 2005, through March 8, 2005, March 10, 2005, through March 12, 2005, March 14, 2005, through March 16, 2005, and March 19, 2005, through March 31, 2005 (112 occasions)**
- 292. - 297. October 25, 2004, through October 30, 2004 (112 occasions)
- 298. - 436. June 7, 2004, through July 13, 2004, July 13, 2004, through October 24, 2004 and **May 22, 2006 (139 days)**
- 437. - 649. Various dates from July 14, 2004, through March 29, 2005 (213 days)
- 650. - 693. **Various dates from February 3, 3005, through June 18, 2005 (44 days)**
- 694. - 698. September 30, 2004, December 11, 2004, March 27, 2005, **December 25, 2005, and March 6, 2006 (5 occasions)**
- 699. - 1037. Various dates from April 14, 2004, through **July 2,**

- 2006 (338 days)**
1038. - 1039. November 22, 2004, and November 23, 2004 (2 days)
1040. - 1203. Various dates from April 27, 2004, through **May 8, 2005 (164 days)**
1204. - 1205. November 22, 2004, and November 23, 2004 (2 days)
1206. - 1209. July 23, 2004, through July 26, 2004 (4 days)
1210. - 1212. December 11, 2004, through December 13, 2004 (3 days)
1213. - 1339. January 1, 2005, through March 31, 2005, **April 1, 2005, through May 1, 2005, November 13, 2006, through November 15, 2006, and November 17, 2006, through November 19, 2006 (127 days)**
1340. - 1349. **August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006 (10 days)**
1349. - 1357. March 3, 2005, through March 9, 2005 (7 days)

Background Information:

On March 24, 1997, the City of Indianapolis Office of Environmental Services (City) issued Construction Permit number CP-09700042-01, to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis, Indiana, for the construction of the By-Products Rebuild (including EU 575-2 and EU 575-3).

On March 10, 2000, the City issued Minor Source Modification number 097-11764-0042 to National Starch and Chemical Company for the North Packing line (EU 577-2).

On August 30, 2000, the City issued Significant Source Modification number 097-11362-00042 to National Starch and Chemical Company for the Spray Agglomerator Process (including EU 5549-20 and 5549-21).

On April 14, 2004, the City issued Part 70 Operating Permit number T097-7714-00042 to National Starch. According to Sections C.15 and C.18 of the Part 70 Operating Permit, a Compliance Response Plan and recordkeeping for new permit requirements shall be prepared and implemented within ninety (90) days of permit issuance; therefore, the new requirements became effective on July 14, 2004. Additionally, on October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit number T097-7714-00042. Both the new Part 70 Operating Permit requirements and the Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

On December 8, 2006, the City issued First Significant Permit Modification T097-20891-00042 to National Starch. The permit modification revised the allowable pressure drop ranges for the scrubbers in Section D.1.9.b. of Part 70 Operating Permit number T097-7714-00042 and revised the allowable pressure drop ranges for the baghouses in Section D.2.7.c. of T097-7714-00042.

The First Significant Permit Modification also eliminated the scrubber used to control SO₂ emissions from units 5502-1A (Feed Dryer), 5502-1B (Germ Dryer), and 5502-1C (Gluten Dryer) with a first effect wash water system to control SO₂ emissions from unit 5502-1A only. A performance test conducted on January 11, 2006, demonstrated that the first effect wash water system controlled SO₂ emissions below the allowable limit.

On August 23, 2007, the City issued Significant Permit Modification SPM097-24287-00042 to combine two (2) emission points (Hammer Mill and the Truck Loadout) into one (1) emission point controlled by a common baghouse and exhausting to stack 5502-3. The Truck Loadout (identified as unit 5503-6) has been combined with the emissions from the Hammer Mill (identified as unit 5502-3) and both exhaust to stack 5502-3 and the requirements for collector for 5503-6 have been eliminated.

Evidence of Violations:

Based upon inspections conducted by the City on February 23, 2005, February 24, 2005, June 13, 2006, June 27, 2006, April 30, 2007, May 17, 2007, and May 18, 2007, and quarterly deviation and compliance monitoring reports from the second quarter 2004 through the fourth quarter 2006 submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (Failure to document visible emission notations for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 18, visible emission notations of the exhaust from stack EU 575-3 were required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 20. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of December 4, 2006, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70

Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on five (5) occasions during the weeks of September 20, 2004, December 6, 2004, August 22, 2005, August 29, 2005, and December 4, 2006.

Violations 21. - 23. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of November 22, 2004, August 22, 2005, and August 29, 2005.

Violation 24. (Failure to implement Preventative Maintenance Plan for EU 575-3)

During the week of June 7, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 17, the pressure drop across the scrubber is required to be monitored at least once per week. The Preventative Maintenance Plan for the scrubber is required to contain troubleshooting contingency and corrective actions for when the pressure drop readings are outside of the normal range for any one reading.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of June 7, 2004.

Violation 25. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the

range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of November 15, 2004.

Violation 26. (Failure to document scrubber circulation rate for EU 575-3)

During the week of December 19, 2005, National Starch failed to document the scrubber circulation rate for the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the scrubber recirculation rate for the scrubber is required to be monitored at least once per week.

National Starch failed to document the scrubber circulation rate on one (1) occasion during the week of December 19, 2005.

Violation 27. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of October 25, 2004.

Violation 28. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 29. - 31. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan

is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 32. - 37. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 38. - 55. (Failure to document visible emissions for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

On January 29, 2006, January 30, 2006, and May 22, 2006, National Starch failed to record the visible emission notations from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.7.a., visible emission notations of the exhaust stack are required to be performed once per day.

National Starch failed to document compliance of the visible emission notation requirement for six (6) wet scrubbers on January 29, 2006, January 30, 2006, and May 22, 2006, for a total of eighteen (18) occasions.

Violations 56. - 62. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)

During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three-week periods between the week of March 14, 2005, through the week

of March 28, 2005.

Violations 63. - 74. (Failure to implement Compliance Response Plan for EU 40-4, EU 40-2, and EU 575-1)

On April 25, 2005, May 2, 2005, May 16, 2005, and May 23, 2005, for EU 575-1, on April 4, 2005, April 11, 2005, April 18, 2005, and April 25, 2005, for EU 40-4 and EU 40-2, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on twelve (12) occasions between April 4, 2005, and May 23, 2005.

Violations 75. - 179. (Failure to document visible emission notations for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Construction Permit 9700042-01, Section 18., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

On May 22, 2006, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.6.b., the visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fifteen (15) days for a total of one hundred five (105) missing records.

Violations 180 - 291. (Failure to implement Compliance Response Plan for EU 577-2)

On thirty-one (31) days between April 27, 2004, and December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than

three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per day. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Minor Source Modification number 097-11764-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

On January 3, 2005, January 4, 2005, January 6, 2005, January 7, 2005, January 10, 2005, though January 12, 2005, January 15, 2005, January 22, 2005, January 31, 2005, February 4, 2005, February 7, 2005, February 9, 2005, February 11, 2005, February 13, 2005, February 14, 2005, February 17, 2005, through February 19, 2005, February 24, 2005, February 25, 2005, February 27, 2005, February 28, 2005, March 2, 2005, through March 8, 2005, March 10, 2005, through March 12, 2005, March 14, 2005, through March 16, 2005, and March 19, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 5, 2005, April 7, 2005, through April 24, 2005, and April 26, 2005, through April 29, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On November 13, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twelve (112) days between April 24, 2004, and November 13, 2006.

Violations 292. - 297. (Failure to implement Compliance Response Plan for EU 577-2)

From October 25, 2004, through October 30, 2004, National Starch exceeded the allowable

pressure drop requirement. The pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the baghouse is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps from October 25, 2004, through October 30, 2004, on six (6) occasions.

Violations 298. - 436. (Failure to document total static pressure drop for EU 577-2)

From June 7, 2004, through July 13, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Minor Source Modification number 097-11764, Section D.1.8(b), the total static pressure drop across the National Starch was required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on thirty-six (36) days from June 7, 2004, through July 13, 2004.

From July 14, 2004, through October 24, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

On May 22, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be recorded at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on **one hundred three (103) days** between July 14, 2004, and **May 22, 2006**.

Violations 437. - 649. (Failure to implement Compliance Response Plan for EU 5549-13)

On various days from July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the

baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for two hundred thirteen (213) days between July 14, 2004, and March 29, 2005.

Violations 650. - 693. (Failure to implement Compliance Response Plan for EU 5549-13)

On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 4, 2005, through April 30, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From December 26, 2005, through December 28, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On March 9, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On May 7, 2006, and from June 16, 2006, through June 18, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for **forty-four (44)** days between February 3, 2005, and **June 18, 2006**.

Violations 694. - 698. (Failure to document total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

On March 27, 2005, December 25, 2005, and March 6, 2006, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day.

National Starch failed to document compliance of the total static pressure drop requirement on **five (5)** days on September 30, 2004, and **March 6, 2006**.

Violations 699. - 1037. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

From February 21, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through April 10, 2005, April 15, 2005, April 16, 2005, May 4, 2005, through May 8, 2005, National Starch was below the allowable total static pressure drop

requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

On July 2, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for three hundred thirty-eight (338) days between April 14, 2004, and July 2, 2006.

Violations 1038. - 1039. (Failure to document total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1040. - 1203. (Failure to implement Compliance Response Plan for EU 5549-21)

On various days between April 27, 2004, and May 8, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for one hundred sixty-four (164) days between April 27, 2004, through May 8, 2005.

Violations 1204. - 1205. (Failure to document total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total

static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the baghouse is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1206. - 1209. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating while the process was operating. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during four (4) days from July 23, 2004, through July 26, 2004.

Violations 1210. - 1212. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during three (3) days from December 11, 2004, through December 13, 2004.

Violations 1213. - 1339. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From April 1, 2005, through May 1, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the second quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static

pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

From November 13, 2006, through November 15, 2006, and November 17, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one hundred twenty-seven (127) days between January 1, 2005, and November 19, 2006.

Violations 1340. - 1349. (Failure to implement Compliance Response Plan for EU 5503-6)

On August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-6 for the Truck Loadout Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for ten (10) days on August 21, 2006, August 24, 2006, September 10, 2006, and November 13, 2006, through November 19, 2006.

Violations 1350. - 1357. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)

From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section C.5., all air pollution control equipment listed in the permit and used to comply with an applicable requirement shall be operated at all times that the emission units are vented to the control equipment are in operation.

Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM₁₀) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.). National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/PM₁₀ limit on seven (7)

days from March 3, 2005, through March 9, 2005. During this period, the estimated emissions were 25 lbs./hr. of additional particulate.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 2-24(3) states, in pertinent part, that "No person shall violate any condition of a permit to construct or a permit to operate. ..."

National Starch and Chemical Company is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

Date

Felicia A. Robinson
Administrator

RECEIVED JAN 18 2006

Certified Mail Number 7000 0600 0023 5187 7976

January 6, 2006

City of
Indianapolis
Bart Peterson, Mayor



Mr. Robert Stefansic
Vice President Manufacturing
INDOPCO, Inc.
d/b/a National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Dear Mr. Stefansic:

Attached is a Notice of Violation pursuant to Section 511-601 of the Air Pollution Control Ordinance of the Revised Code of the Consolidated City of Indianapolis and Marion County, Indiana. Within sixty (60) days of this Notice, the City of Indianapolis Office of Environmental Services (City) may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice of Violation.

The City proposes resolution of the Notice of Violation issued to INDOPCO, Inc. d/b/a National Starch and Chemical Company through the informal Administrative Hearing process. You may request a conference with the City staff to discuss this Notice and a proposed resolution. If an agreement can be reached on corrective measures to prevent a recurrence of the violations, a Compliance Agreement will be prepared and forwarded to the Administrative Hearing Officer for approval.

Please contact this office within ten (10) days of receipt of this Notice to schedule a conference if you would like to discuss a proposed Compliance Agreement. If you wish to discuss this matter further, please contact Ms. Cheryl Carlson, Enforcement Program Manager, at the address below or by telephone at (317) 327-2281.

Sincerely,

Felicia A. Robinson
Manager of Environmental Planning

FAR:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
R. Matt Senseny, Assistant Corporation Counsel
Keshav Reddy, Permitting Program Manager, OES
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Senior Project Manager/Permitting, OES
Jeff Hege, Senior Environmental Scientist/Compliance, OES
Lynne Sullivan, Office of Enforcement, IDEM
Phil Perry, Office of Air Quality, IDEM
Rochelle Marceillars, United States Environmental Protection Agency, Region V
Denise Curtis, Environmental Manager, National Starch and Chemical Company

Department of Public Works
Office of Environmental Services

Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

(317) 327-2234
(fax) 327-2274
indygov.org

Office of Environmental Services
Department of Public Works
City of Indianapolis

City of
Indianapolis
Bart Peterson, Mayor



January 6, 2006

Notice of Violation

Pursuant to Chapter 511, Section 601, the City of Indianapolis Office of Environmental Services (City) hereby issues this Notice of Violation. Within sixty (60) days of the date of this Notice of Violation, the City may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed and prosecute this case in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice. Any person found in violation of the Air Pollution Control Ordinance, any Indianapolis Air Pollution Control Board regulation, or any permit issued by the City is subject to a fine of up to \$10,000.00 per day per violation. The City of Indianapolis Office of Environmental Services hereby notes the following ordinance violation:

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c)

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permits, Operating Permit or Emission Credit Permit."

Violator's Name: INDOPCO, Inc.
d/b/a National Starch and Chemical Company

Location: P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Responsible Official: Mr. Robert Stefansic, Vice President Manufacturing

Dates of Violations:

1. - 15.	April 11, 2004, through April 25, 2004 (15 days)
16. - 19.	Week of September 20, 2004, week of December 6, 2004, week of August 22, 2005, and week of August 29, 2005 (4 occasions)
20. - 22.	Week of November 22, 2004, week of August 22, 2005, and week of August 29, 2005 (3 occasions)
23.	Week of June 7, 2004 (1 occasion)
24.	Week of November 15, 2004 (1 occasion)

Department of Public Works
Office of Environmental Services

Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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- 25. Week of October 25, 2004 (1 occasion)
- 26. Week of July 19, 2004 (1 occasion)
- 27. - 29. Week of January 31, 2005, and February 7, 2005 (3 occasions)
- 30. - 35. Week of October 4, 2004 (1 week for 6 scrubbers which is 6 occasions)
- 36. - 42. Week of March 14, 2005, week of March 21, 2005, and week of March 28, 2005 (7 occasions)
- 42. - 141. April 11, 2004, through April 25, 2004 (14 days for 7 baghouses which is 98 occasions)
- 142. - 173. Various dates from April 27, 2004, through December 30, 2004 (31 days)
- 174. - 178. Week of October 25, 2004, week of October 30, 2004, week of February 21, 2005, week of February 28, 2005, and week of March 7, 2005 (5 occasions)
- 179. - 215. June 7, 2004, through July 13, 2004 (36 days)
- 216. - 318. July 13, 2004, through October 24, 2004 (102 days)
- 319. February 3, 2005 (1 occasion)
- 320. - 543. Various dates from July 14, 2004, through March 29, 2005 (223 days)
- 544. - 546. September 30, 2004, December 11, 2004, and March 27, 2005 (3 occasions)
- 547. - 867. Various dates from April 14, 2004, through March 31, 2005 (320 days)
- 868. - 869. November 22, 2004, and November 23, 2004 (2 days)
- 870. - 1020. Various dates from April 27, 2004, through February 20, 2005 (150 days)
- 1021. - 1022. November 22, 2004, and November 23, 2004 (2 days)
- 1023. - 1026. July 23, 2004, through July 26, 2004 (4 days)
- 1027. - 1029. December 11, 2004, through December 13, 2004 (3 days)
- 1030. - 1120. January 1, 2005, through March 31, 2005 (90 days)
- 1121. - 1127. March 3, 2005, through March 9, 2005 (7 days)

Background Information:

On March 24, 1997, the City of Indianapolis Office of Environmental Services (City) issued Construction Permit number CP-09700042-01, to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis, Indiana, for the construction of the By-Products Rebuild (including EU 575-2 and EU 575-3).

On March 10, 2000, the City issued Minor Source Modification number 097-11764-0042 to National Starch and Chemical Company for the North Packing line (EU 577-2).

On August 30, 2000, the City issued Significant Source Modification number 097-11362-00042 to National Starch and Chemical Company for the Spray Agglomerator Process (including EU

5549-20 and 5549-21).

On April 14, 2004, the City of Indianapolis Office of Environmental Services (City) issued Part 70 Operating Permit number T097-7714-00042 to National Starch. According to Sections C.15 and C.18 of the Part 70 Operating Permit, a Compliance Response Plan and recordkeeping for new permit requirements shall be prepared and implemented within ninety (90) days of permit issuance; therefore, the new requirements became effective on July 14, 2004. Additionally, on October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit T097-7714-00042. Both the new Part 70 Operating Permit requirements and the Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

Evidence of Violations:

Based upon an inspection conducted by the City on February 23, 2005, and February 24, 2005, and quarterly deviation and compliance monitoring reports from the second quarter 2004 through the third quarter 2005 submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (Failure to document visible emission notations for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 18, visible emission notations of the exhaust from stack EU 575-3 were required to be performed once per day.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 19. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on four (4) occasions during the weeks of September 20, 2004, December 6, 2004, August 22, 2005, and August 29, 2005.

Violations 20. - 22. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

During the week of August 22, 2005, and the week of August 29, 2005, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be less than six (6) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of November 22, 2004, August 22, 2005, and August 29, 2005.

Violation 23. (Failure to implement Preventative Maintenance Plan for EU 575-3)

During the week of June 7, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Construction Permit 9700042-01, Section 17, the pressure drop across the scrubber is required to be monitored at least once per week. The Preventative Maintenance Plan for the scrubber is required to contain troubleshooting contingency and corrective actions for when the pressure drop readings are outside of the normal range for any one reading.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of June 7, 2004.

Violation 24. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of November 15, 2004.

Violation 25. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the

range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of October 25, 2004.

Violation 26. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 27. - 29. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 30. - 35. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 36. - 42. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)

During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch failed to record the pressure drop for from the wet

scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three-week periods between the week of March 14, 2005, through the week of March 28, 2005.

Violations 43. - 141. (Failure to document visible emission notations for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission notations from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Construction Permit 9700042-01, Section 18., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per shift.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fourteen (14) days for a total of ninety-eight (98) missing records.

Violations 142. - 173. (Failure to implement Compliance Response Plan for EU 577-2)

On thirty-one (31) days between April 27, 2004, and December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be no less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per day. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Minor Source Modification number 097-11764-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for the thirty-one (31) days between April 24, 2004, and December 30, 2004.

Violations 174. - 178. (Failure to implement Compliance Response Plan for EU 577-2)

During the week of October 25, 2004, and the week of October 30, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the

Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for the two (2) weeks of October 25, 2004, and October 30, 2004.

During the week of February 21, 2005, February 28, 2005, and March 7, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement compliance response steps on three (3) occasions during the weeks of February 21, 2005, February 28, 2005, and March 7, 2005.

Violations 179. - 215. (Failure to document total static pressure drop for EU 577-2)

From June 7, 2004, through July 13, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Minor Source Modification number 097-11764, Section D.1.8(b), the total static pressure drop across the National Starch was required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on thirty-six (36) days from June 7, 2004, through July 13, 2004.

Violations 216. - 318. (Failure to document total static pressure drop for EU 577-2)

From July 14, 2004, through October 24, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on one hundred two (102) days from July 14, 2004, through October 24, 2004.

Violation 319. (Failure to implement Compliance Response Plan for EU 5549-13)

On February 3, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for one (1) day on February 3, 2005.

Violations 320. - 543. (Failure to implement Compliance Response Plan for EU 5549-13)

On various days from July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to

be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for two hundred five (205) days from July 14, 2004, through February 20, 2005.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for eight (8) days on February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005.

On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for ten (10) days from On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005.

Violations 544. - 546. (Failure to document total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on September 30, 2004, and December 11, 2004.

On March 27, 2005, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be

monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day.

National Starch failed to document compliance of the total static pressure drop requirement on one (1) day on March 27, 2005.

Violations 547. - 867. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for two hundred eighty one (281) days from April 14, 2004, through February 20, 2005.

From February 21, 2005, through March 31, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for thirty-nine (39) days from February 21, 2005, through March 31, 2005.

Violations 868. - 869. (Failure to document total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 870. - 1020. (Failure to implement Compliance Response Plan for EU 5549-21)

On various days between April 27, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure

drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

(Pursuant to Significant Source Modification number 097-11362-00042, Section D.1.6., National Starch was previously required to record daily the pressure drop across the baghouse and implement the Compliance Response Plan when out of range.)

National Starch failed to implement the compliance response steps for one hundred fifty (150) days between April 27, 2004, through February 20, 2005.

Violations 1021. - 1022. (Failure to document total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to document the total static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1023. - 1026. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating while the process was operating. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during four (4) days from July 23, 2004, through July 26, 2004.

Violations 1027. - 1029. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber during three (3) days from December 11, 2004, through December 13, 2004.

Violations 1030. - 1120. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was

below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to implement the compliance response steps for ninety (90) days from January 1, 2005, through March 31, 2005.

Violations 1121. - 1127. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)


From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section C.5., all air pollution control equipment listed in the permit and used to comply with an applicable requirement shall be operated at all times that the emission units are vented to the control equipment are in operation.

Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM_{10}) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.). National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/ PM_{10} limit from March 3, 2005, through March 9, 2005. During this period, the estimated emissions were 25 lbs./hr. of additional particulate.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permit, Operating Permit or Emission Credit Permit."

National Starch and Chemical Company is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

1/6/06
Date


Felicia A. Robinson
Manager of Environmental Planning

Certified Mail Number 7000 0600 0023 5187 7976

October 5, 2005

Mr. Robert Stefansic
Vice President Manufacturing
National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Dear Mr. Stefansic:

Attached is a Notice of Violation pursuant to Section 511-601 of the Air Pollution Control Ordinance of the Revised Code of the Consolidated City of Indianapolis and Marion County, Indiana. Within sixty (60) days of this Notice, the City of Indianapolis Office of Environmental Services (City) may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice of Violation.

The City proposes resolution of the Notice of Violation issued to National Starch and Chemical Company through the informal Administrative Hearing process. You may request a conference with the City staff to discuss this Notice and a proposed resolution. If an agreement can be reached on corrective measures to prevent a recurrence of the violations, a Compliance Agreement will be prepared and forwarded to the Administrative Hearing Officer for approval.

Please contact this office within ten (10) days of receipt of this Notice to schedule a conference if you would like to discuss a proposed Compliance Agreement. If you wish to discuss this matter further, please contact Ms. Cheryl Carlson, Enforcement Program Manager, at the address below or by telephone at (317) 327-2281.

Sincerely,

Felicia A. Robinson
Manager of Environmental Planning

FAR:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
R. Matt Senseny, Assistant Corporation Counsel
Keshav Reddy, Permitting Program Manager, OES
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Project Manager/Compliance, OES
Lynne Sullivan, Office of Enforcement, IDEM
Denise Curtis, Environmental Manager, National Starch and Chemical Company

Office of Environmental Services
Department of Public Works
City of Indianapolis

October 5, 2005

Notice of Violation

Pursuant to Chapter 511, Section 601, the City of Indianapolis Office of Environmental Services (City) hereby issues this Notice of Violation. Within sixty (60) days of the date of this Notice of Violation, the City may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed and prosecute this case in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice. Any person found in violation of the Air Pollution Control Ordinance, any Indianapolis Air Pollution Control Board regulation, or any permit issued by the City is subject to a fine of up to \$10,000.00 per day per violation. The City of Indianapolis Office of Environmental Services hereby notes the following ordinance violation:

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c)

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permits, Operating Permit or Emission Credit Permit."

Violator's Name: National Starch and Chemical Company
Location: P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Responsible Official: Mr. Robert Stefansic

Dates of Violations:

1. - 15.	April 11, 2004, through April 25, 2004 (15 days)
16. - 17.	Week of September 20, 2004, and week of December 6, 2004 (2 occasions)
18. - 19.	Week of June 28, 2004 and week of November 22, 2004 (2 occasions)
20. - 21.	Week of June 7, 2004, and week of November 15, 2004 (2 occasions)
22. - 23.	Week of July 5, 2004, and week of October 25,

- 2004 (2 occasions)
- 24. Week of July 19, 2004 (1 occasion)
- 25. - 27. Week of January 31, 2005, and February 7, 2005 (3 occasions)
- 28. - 33. Week of October 4, 2004 (1 week for 6 scrubbers)
- 34. - 40. Week of March 14, 2005 (7 occasions)
- 41. - 139. April 11, 2004, through April 25, 2004 (14 days for 7 baghouses which is 98 occasions)
- 140. - 171. Various dates from April 27, 2004, through December 30, 2004 (31 days)
- 172. - 176. Week of October 25, 2004, week of October 30, 2004, week of February 21, 2005, week of February 28, 2005, and week of March 7, 2005 (5 occasions)
- 177. - 317. June 7, 2004, through October 24, 2004 (140 days)
- 318. February 3, 2005 (1 occasion)
- 319. - 542. Various dates from July 14, 2004, through March 29, 2005 (223 days)
- 543. - 545. September 30, 2004, December 11, 2004, and March 27, 2005 (3 occasions)
- 546. - 866. Various dates from April 14, 2004, through March 31, 2005 (320 days)
- 867. - 868. November 22, 2004, and November 23, 2004 (2 days)
- 869. - 1019. Various dates from April 27, 2004, through February 20, 2005 (150 days)
- 1020. - 1021. November 22, 2004, and November 23, 2004 (2 days)
- 1022. - 1025. July 23, 2004, through July 26, 2004 (4 days)
- 1026. - 1028. October 19, 2004, November 16, 2004, and December 10, 2004 (3 days)
- 1026. - 1028. December 11, 2004, through December 13, 2004 (3 days)
- 1029. - 1119. January 1, 2005, through March 31, 2005 (90 days)
- 1120. - 1126. March 3, 2005, through March 9, 2005 (7 days)

Background Information:

On April 14, 2004, the City of Indianapolis Office of Environmental Services (City) issued Part 70 Operating Permit number T097-7714-00042 to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis. On October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit T097-7714-00042. The Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

Evidence of Violations:

During an inspection conducted by the City on February 23, 2005, and February 24, 2005, and the quarterly deviation and compliance monitoring reports submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (No visible emission readings for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission readings from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.7.a., visible emission notations of the exhaust from stack EU 575-3 was required to be performed once per shift. However, the Joint Motion and Stipulation for Stay provide that the visible emission notation for EU 575-3 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.11.g., records of the visible emission notations must be maintained.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 17. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of September 20, 2004, and December 6, 2004.

Violations 18. - 19. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of June 28, 2004, and the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of June 28, 2004, and November 22, 2004.

Violations 20. - 21. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of June 6, 2004, and the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of June 6, 2004, and November 15, 2004.

Violations 22. - 23. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of July 5, 2004, and the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of July 5, 2004, and October 25, 2004.

Violation 24. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 25. - 27. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch indicated in the quarterly deviation and compliance report for the first quarter of 2005 that National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 28. - 33. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042,

Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 34. - 40. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)
During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three week periods between the week of March 14, 2005, through the week of March 28, 2005.

Violations 41. - 139. (Failure to document visible emission readings for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission readings from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.6.b., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per shift. However, the Joint Motion and Stipulation for Stay provided that the visible emission notation for each of the above baghouses is required to be recorded once per day. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.12.c., records of the visible emission notations must be maintained.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fourteen (14) days for a total of ninety-eight (98) missing records.

Violations 140. - 171. (Failure to implement Compliance Response Plan for EU 577-2)

Each week from April 27, 2004, through December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be no less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for the thirty-one (31) weeks between April 24, 2004, and December 30, 2004.

Violations 172. - 176. (Failure to implement Compliance Response Plan for EU 577-2)

During the week of October 25, 2004, and the week of October 30, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for the two (2) weeks of October 25, 2005, and October 30, 2004.

During the week of February 21, 2005, February 28, 2005, and March 7, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on three (3) occasions during the weeks of February 21, 2005, February 28, 2005, and March 7, 2005.

Violations 177. - 317. (Failure to record total static pressure drop for EU 577-2)

From June 7, 2004, through October 24, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on one hundred forty (140) days from June 7, 2004, through October 24, 2004.

Violation 318. (Failure to implement Compliance Response Plan for EU 5549-13)

On February 3, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for one (1) day on February 3, 2005.

Violations 319. - 542. (Failure to implement Compliance Response Plan for EU 5549-13)

From July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for two hundred five (205) days from July 14, 2004, through February 20, 2005.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was greater than the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for eight (8) days on February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005.

On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for ten (10) days from On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005.

Violations 543. - 545. (Failure to record total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on September 30, 2004, and December 11, 2004.

On March 27, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to record the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on one (1) day on March 27, 2005.

Violations 546. - 866. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for two hundred eighty one (281) days from April 14, 2004, through February 20, 2005.

From February 21, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for thirty-nine (39) days from February 21, 2005, through March 31, 2005.

Violations 867. - 868. (Failure to record total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 869. - 1019. (Failure to implement Compliance Response Plan for EU 5549-21)

From April 27, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for one hundred fifty (150) days from April 27, 2004, through February 20, 2005.

Violations 1020. - 1021. (Failure to record total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1022. - 1025. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber for four (4) days from July 23, 2004, through July 26, 2004.

Violations 1026. - 1028. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber for three (3) days from December 11, 2004, through December 13, 2004.

Violations 1029. - 1119. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly

deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for ninety (90) days from January 1, 2005, through March 31, 2005.

Violations 1120. - 1126. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)

From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM₁₀) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.).

National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/PM₁₀ limit from March 3, 2005, through March 9, 2005. During this period, the estimated emissions were 25 lbs./hr. of additional particulate.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permit, Operating Permit or Emission Credit Permit."

National Starch and Chemical Company is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

Date

Felicia A. Robinson
Manager of Environmental Planning

Draft

Certified Mail Number 7000 0600 0023 5187 7976

October 5, 2005

Mr. Robert Stefansic
Vice President Manufacturing
National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Dear Mr. Stefansic:

Attached is a Notice of Violation pursuant to Section 511-601 of the Air Pollution Control Ordinance of the Revised Code of the Consolidated City of Indianapolis and Marion County, Indiana. Within sixty (60) days of this Notice, the City of Indianapolis Office of Environmental Services (City) may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice of Violation.

The City proposes resolution of the Notice of Violation issued to National Starch and Chemical Company through the informal Administrative Hearing process. You may request a conference with the City staff to discuss this Notice and a proposed resolution. If an agreement can be reached on corrective measures to prevent a recurrence of the violations, a Compliance Agreement will be prepared and forwarded to the Administrative Hearing Officer for approval.

Please contact this office within ten (10) days of receipt of this Notice to schedule a conference if you would like to discuss a proposed Compliance Agreement. If you wish to discuss this matter further, please contact Ms. Cheryl Carlson, Enforcement Program Manager, at the address below or by telephone at (317) 327-2281.

Sincerely,

Felicia A. Robinson
Manager of Environmental Planning

FAR:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
R. Matt Senseny, Assistant Corporation Counsel
Keshav Reddy, Permitting Program Manager, OES
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Project Manager/Compliance, OES
Lynne Sullivan, Office of Enforcement, IDEM
Denise Curtis, Environmental Manager, National Starch and Chemical Company

Office of Environmental Services
Department of Public Works
City of Indianapolis

October 5, 2005

Notice of Violation

Pursuant to Chapter 511, Section 601, the City of Indianapolis Office of Environmental Services (City) hereby issues this Notice of Violation. Within sixty (60) days of the date of this Notice of Violation, the City may either refer this Notice to the City Prosecutor and request that a complaint of Ordinance Violation be filed and prosecute this case in the Superior Court of Marion County or may issue to you a notice of Administrative Hearing on this Notice. Any person found in violation of the Air Pollution Control Ordinance, any Indianapolis Air Pollution Control Board regulation, or any permit issued by the City is subject to a fine of up to \$10,000.00 per day per violation. The City of Indianapolis Office of Environmental Services hereby notes the following ordinance violation:

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c)

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permits, Operating Permit or Emission Credit Permit."

Violator's Name: National Starch and Chemical Company
Location: P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

Responsible Official: Mr. Robert Stefansic

Dates of Violations:

1. - 15.	April 11, 2004, through April 25, 2004 (15 days)
16. - 17.	Week of September 20, 2004, and week of December 6, 2004 (2 occasions)
18. - 19.	Week of June 28, 2004 and week of November 22, 2004 (2 occasions)
20. - 21.	Week of June 7, 2004, and week of November 15, 2004 (2 occasions)
22. - 23.	Week of July 5, 2004, and week of October 25,

- 2004 (2 occasions)
- 24. Week of July 19, 2004 (1 occasion)
- 25. - 27. Week of January 31, 2005, and February 7, 2005 (3 occasions)
- 28. - 33. Week of October 4, 2004 (1 week for 6 scrubbers)
- 34. - 40. Week of March 14, 2005 (7 occasions)
- 41. - 139. April 11, 2004, through April 25, 2004 (14 days for 7 baghouses which is 98 occasions)
- 140. - 171. Various dates from April 27, 2004, through December 30, 2004 (31 days)
- 172. - 176. Week of October 25, 2004, week of October 30, 2004, week of February 21, 2005, week of February 28, 2005, and week of March 7, 2005 (5 occasions)
- 177. - 317. June 7, 2004, through October 24, 2004 (140 days)
- 318. February 3, 2005 (1 occasion)
- 319. - 542. Various dates from July 14, 2004, through March 29, 2005 (223 days)
- 543. - 545. September 30, 2004, December 11, 2004, and March 27, 2005 (3 occasions)
- 546. - 866. Various dates from April 14, 2004, through March 31, 2005 (320 days)
- 867. - 868. November 22, 2004, and November 23, 2004 (2 days)
- 869. - 1019. Various dates from April 27, 2004, through February 20, 2005 (150 days)
- 1020. - 1021. November 22, 2004, and November 23, 2004 (2 days)
- 1022. - 1025. July 23, 2004, through July 26, 2004 (4 days)
- 1026. - 1028. October 19, 2004, November 16, 2004, and December 10, 2004 (3 days)
- 1026. - 1028. December 11, 2004, through December 13, 2004 (3 days)
- 1029. - 1119. January 1, 2005, through March 31, 2005 (90 days)
- 1120. - 1126. March 3, 2005, through March 9, 2005 (7 days)

Background Information:

On April 14, 2004, the City of Indianapolis Office of Environmental Services (City) issued Part 70 Operating Permit number T097-7714-00042 to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, Indianapolis. On October 8, 2004, a Joint Motion and Stipulation for Stay were filed for Part 70 Operating Permit T097-7714-00042. The Joint Motion and Stipulation for Stay were taken into consideration in determining the violations included in this Notice of Violation.

Evidence of Violations:

During an inspection conducted by the City on February 23, 2005, and February 24, 2005, and the quarterly deviation and compliance monitoring reports submitted by National Starch to the City, the following violations are hereby noted:

Violations 1. - 15. (No visible emission readings for EU 575-3)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission readings from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.7.a., visible emission notations of the exhaust from stack EU 575-3 was required to be performed once per shift. However, the Joint Motion and Stipulation for Stay provide that the visible emission notation for EU 575-3 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.11.g., records of the visible emission notations must be maintained.

National Starch failed to provide the daily record of the visible emission notations for EU 575-3 on fifteen (15) days.

Violations 16. - 17. (Failure to implement Compliance Response Plan for EU 40-2)

During the week of September 20, 2004, and the week of December 6, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of September 20, 2004, and December 6, 2004.

Violations 18. - 19. (Failure to implement Compliance Response Plan for EU 40-4)

During the week of June 28, 2004, and the week of November 22, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of June 28, 2004, and November 22, 2004.

Violations 20. - 21. (Failure to implement Compliance Response Plan for EU 575-3)

During the week of June 6, 2004, and the week of November 15, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-3 for the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of June 6, 2004, and November 15, 2004.

Violations 22. - 23. (Failure to implement Compliance Response Plan for EU 575-2)

During the week of July 5, 2004, and the week of October 25, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-2 for the Number 5 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on two (2) occasions during the weeks of July 5, 2004, and October 25, 2004.

Violation 24. (Failure to implement Compliance Response Plan for EU 575-1)

During the week of July 19, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on one (1) occasion during the week of July 19, 2004.

Violations 25. - 27. (Failure to implement Compliance Response Plan for EU 575-1, EU 575-3, and EU 40-2)

During the week of January 31, 2005, for EU 575-1, and EU 575-3, and the week of February 7, 2005, for EU 40-2, National Starch indicated in the quarterly deviation and compliance report for the first quarter of 2005 that National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-3 for the Number 6 Flash Dryer, and from the wet scrubber EU 40-2 for the Number 3 Starch Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 6.0 to 12.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on three (3) occasions during the weeks of January 31, 2005, and February 7, 2005.

Violations 28. - 33. (Failure to document pressure drop for EU 40-4, EU 40-3, EU 40-2, EU 575-1, EU 575-2, and EU 575-3)

During the week of October 4, 2004, National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-3 for the Number 2 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer, from the wet scrubber EU 575-2 from the Number 5 Starch Flash Dryer, and from the wet scrubber EU 575-3 from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042,

Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement for six (6) wet scrubbers during the week of October 4, 2004.

Violations 34. - 40. (Failure to document pressure drop for EU 40-4, EU 40-2, and EU 575-1)

During the week of March 14, 2005, for EU 575-1, and during the week of March 21, 2005, and the week of March 28, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to record the pressure drop for from the wet scrubber EU 40-4 for the Number 1 Starch Flash Dryer, from the wet scrubber EU 40-2 for the Number 3 Starch Flash Dryer, and from the wet scrubber EU 575-1 for the Number 4 Starch Flash Dryer from the Number 6 Starch Flash Dryer. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.8.b., the pressure drop across the scrubber is required to be monitored at least once per week.

National Starch failed to document compliance of the pressure drop requirement on seven (7) occasions during the three week periods between the week of March 14, 2005, through the week of March 28, 2005.

Violations 41. - 139. (Failure to document visible emission readings for EU 577-2, EU 577-5 through EU 577-10)

From April 11, 2004, through April 25, 2004, National Starch was unable to provide records of the daily visible emission readings from the baghouse EU 577-2 for the RSP North Packing Line, from the baghouse EU 577-5 for the RSP Hopper number 4, from the baghouse EU 577-6 for the RSP Hopper number 6, from the baghouse EU 577-7 for the RSP Hopper number 5, from the baghouse EU 577-8 for the RSP Hopper number 1, from the baghouse EU 577-9 for the RSP Hopper number 2, and from the baghouse EU 577-10 for the RSP Hopper number 3. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.6.b., visible emission notations of the exhaust from each of the seven (7) baghouses above was required to be performed once per shift. However, the Joint Motion and Stipulation for Stay provided that the visible emission notation for each of the above baghouses is required to be recorded once per day. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.12.c., records of the visible emission notations must be maintained.

National Starch failed to provide the daily record of the visible emission notations for EU 577-2, EU 577-5, EU 577-6, EU 577-7, EU 577-8, EU 577-9, and EU 577-10 on fourteen (14) days for a total of ninety-eight (98) missing records.

Violations 140. - 171. (Failure to implement Compliance Response Plan for EU 577-2)

Each week from April 27, 2004, through December 30, 2004, National Starch was below the allowable pressure drop requirement. The pressure drop was recorded to be no less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for the thirty-one (31) weeks between April 24, 2004, and December 30, 2004.

Violations 172. - 176. (Failure to implement Compliance Response Plan for EU 577-2)

During the week of October 25, 2004, and the week of October 30, 2004, National Starch exceeded the allowable pressure drop requirement. The pressure drop was recorded to be greater than twelve (12) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Sections D.2.7.b. and D.2.7.c., the pressure drop across the scrubber is required to be monitored at least once per week. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for the two (2) weeks of October 25, 2005, and October 30, 2004.

During the week of February 21, 2005, February 28, 2005, and March 7, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps on three (3) occasions during the weeks of February 21, 2005, February 28, 2005, and March 7, 2005.

Violations 177. - 317. (Failure to record total static pressure drop for EU 577-2)

From June 7, 2004, through October 24, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 577-2 for the RSP North Packing Line. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation.

National Starch failed to document compliance of the total static pressure drop requirement on one hundred forty (140) days from June 7, 2004, through October 24, 2004.

Violation 318. (Failure to implement Compliance Response Plan for EU 5549-13)

On February 3, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for one (1) day on February 3, 2005.

Violations 319. - 542. (Failure to implement Compliance Response Plan for EU 5549-13)

From July 14, 2004, through February 20, 2005, National Starch exceeded the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for two hundred five (205) days from July 14, 2004, through February 20, 2005.

On February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was greater than the allowable total static pressure drop requirement. The total static pressure drop was recorded to be greater than six (6) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for eight (8) days on February 21, 2005, February 22, 2005, February 28, 2005, March 2, 2005, through March 4, 2005, March 28, 2005, and March 29, 2005.

On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for ten (10) days from On February 3, 2005, March 17, 2005, through March 23, 2005, March 25, 2005, and March 26, 2005.

Violations 543. - 545. (Failure to record total static pressure drop for EU 5549-13)

On September 30, 2004, and December 11, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on September 30, 2004, and December 11, 2004.

On March 27, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to record the total static pressure drop for across the baghouse EU 5549-13 for the Agglomerator. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.a., the total static pressure drop across the scrubber is required to be monitored at least once per shift while in operation. However, the Joint Motion and Stipulation for Stay provided that the total static pressure drop for EU 5549-13 is required once per day. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on one (1) day on March 27, 2005.

Violations 546. - 866. (Failure to implement Compliance Response Plan for EU 5549-20)

From April 14, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for two hundred eighty one (281) days from April 14, 2004, through February 20, 2005.

From February 21, 2005, through March 31, 2005, National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for thirty-nine (39) days from February 21, 2005, through March 31, 2005.

Violations 867. - 868. (Failure to record total static pressure drop for EU 5549-20)

On November 22, 2004, and November 23, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 5549-20 for the Number 2 Fugitive Dust Collector. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 869. - 1019. (Failure to implement Compliance Response Plan for EU 5549-21)

From April 27, 2004, through February 20, 2005, National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for one hundred fifty (150) days from April 27, 2004, through February 20, 2005.

Violations 1020. - 1021. (Failure to record total static pressure drop for EU 5549-21)

On November 22, 2004, and November 23, 2004, National Starch failed to record the total static pressure drop for across the baghouse EU 5549-21 for the Line 1 Packing. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.b., the total static pressure drop across the scrubber is required to be monitored at least once per day while in operation. Pursuant to Part 70 Operating Permit T097-7715-00042, Section D.2.12.d., records of the visible emission notations must be maintained.

National Starch failed to document compliance of the total static pressure drop requirement on two (2) days on November 22, 2004, and November 23, 2004.

Violations 1022. - 1025. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From July 23, 2004, through July 26, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber for four (4) days from July 23, 2004, through July 26, 2004.

Violations 1026. - 1028. (Failure to Operate SO₂ Scrubber for EU 5502-1A, EU 5502-1B, and EU 5502-1C)

From December 11, 2004, through December 13, 2004, National Starch failed to operate the SO₂ scrubber as control for EU 5502-1A (Feed Dryer), EU 5502-1B (Germ Dryer), and EU 5502-1C (Gluten Dryer) while the processes were in operation. The SO₂ scrubber alarm was not operating at the time due to maintenance performed earlier in the week on the scrubber nozzles. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.6., the scrubber shall be in operation and control particulate and SO₂ emissions from EU 5502-1A, EU 5502-1B, and EU 5502-1C at all times those units are operating.

National Starch failed to operate the SO₂ scrubber for three (3) days from December 11, 2004, through December 13, 2004.

Violations 1029. - 1119. (Failure to implement Compliance Response Plan for EU 5503-2)

From January 1, 2005, through March 31, 2005, National Starch indicated in the quarterly

deviation and compliance monitoring report for the first quarter of 2005 that National Starch was below the allowable total static pressure drop requirement. The total static pressure drop was recorded to be less than three (3) inches of water across the baghouse EU 5503-2 for the Germ Bin, Pellet Bin Number 1, Pellet Bin Number 2, and the Loadout Dust Collection System. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.2.7.c., the total static pressure drop across the baghouse is required to be documented. When, for any one reading, the pressure drop is outside the range of 3.0 to 6.0 inches of water, the Compliance Response Plan is to be implemented.

National Starch failed to document the compliance response steps for ninety (90) days from January 1, 2005, through March 31, 2005.

Violations 1120. - 1126. (Failure to Operate Regenerative Thermal Oxidizer EU 5502-1D)

From March 3, 2005, through March 9, 2005, National Starch failed to operate the Regenerative Thermal Oxidizer (EU 5502-1D) while the processes were in operation. The Regenerative Thermal Oxidizer (RTO) was taken off-line to repack the unit. Pursuant to Part 70 Operating Permit T097-7714-00042, Section D.1.1.c., the total particulate matter (PM)/particulate matter less than ten (10) microns in diameter (PM₁₀) emissions shall not exceed 0.0114 grains per dry standard cubic foot or 4.53 pounds per hour (lbs./hr.).

National Starch indicated in the quarterly deviation and compliance monitoring report for the first quarter of 2005 that National Starch failed to comply with the allowable PM/PM₁₀ limit from March 3, 2005, through March 9, 2005. During this period, the estimated emissions were 25 lbs./hr. of additional particulate.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permit, Operating Permit or Emission Credit Permit."

National Starch and Chemical Company is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

Date

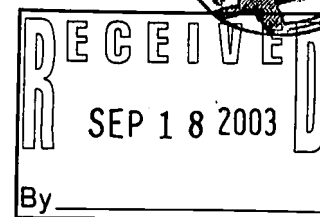
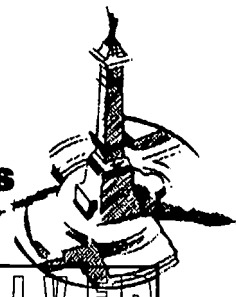
Felicia A. Robinson
Manager of Environmental Planning

Certified Mail number 7000 0600 0023 5190 4832

September 15, 2003

Mr. Randy Holme
Vice President
National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206

City of
Indianapolis
Bart Peterson, Mayor



Dear Mr. Holme:

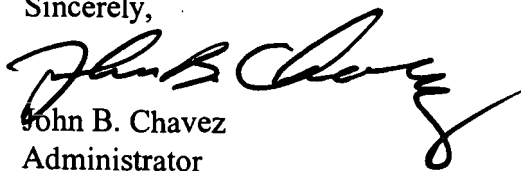
Pursuant to the meeting held with Ms. Denise Curtis and my staff on September 4, 2003, and the correspondence received by our office on September 12, 2003, please find attached a proposed Compliance Agreement as resolution of the Notice of Violation issued to National Starch and Chemical Company.

As a matter of formality in resolution of this matter, please find enclosed a Notice of Hearing with the Administrative Hearing Officer. The hearing is scheduled for Thursday, November 20, 2003, at 1:00 p.m. in Room 224 of the City-County Building, 200 East Washington Street, Indianapolis, Indiana.

If the Compliance Agreement is acceptable, please sign and return to Ms. Cheryl Carlson, Enforcement Program Manager, within thirty (30) days from receipt. If the Compliance Agreement is signed and returned, a hearing with the Hearing Officer will not take place. It will be forwarded to the Administrative Hearing Officer for approval and execution.

If you have any questions, comments, or would like to schedule a meeting to discuss the proposed Compliance Agreement, please contact Ms. Carlson at (317)327-2281.

Sincerely,


John B. Chavez
Administrator

JBC:clc

cc: Cheryl Carlson, Enforcement Program Manager, OES
R. Matt Senseny, Assistant Corporation Counsel
Matt Mosier, Compliance Program Manager, OES
Anh-Tuan Nguyen, Project Manager/Compliance, OES
Monica Dick, Permitting Program Manager, OES
Lynne Sullivan, Office of Enforcement, IDEM
Denise Curtis, Environmental Manager, National Starch and Chemical Company

Department of Public Works
Office of Environmental Services

Office of Environmental Services | (317) 327-2234
2700 South Belmont Avenue | (fax) 327-2274
Indianapolis, Indiana 46221 | indygov.org

STATE OF INDIANA)	ADMINISTRATIVE ADJUDICATION
) SS:	
COUNTY OF MARION)	DOCKET NO. 03-A-0177
CITY OF INDIANAPOLIS,)	
)	
Plaintiff,)	
)	
vs.)	
)	
INDOPCO, Inc. D/B/A)	
NATIONAL STARCH AND)	
CHEMICAL COMPANY,)	
)	
Defendant.)	

COMPLIANCE AGREEMENT

Plaintiff is the City of Indianapolis, ("City") a body corporate and politic, acting through its Department of Public Works, Office of Environmental Services ("OES").

Defendant is INDOPCO, Inc. doing business as National Starch and Chemical Company ("National Starch"), a company authorized to conduct business in the State of Indiana. National Starch owns and operates in the City of Indianapolis and Marion County a starch processing facility.

The Notice of Violation in this cause was issued on August 13, 2003, alleging that National Starch alleging that National Starch violated Indianapolis Air Pollution Control Board Regulation "Permit", Section 1-1(H)(1)(c). More specifically, National Starch was alleged to have failed to maintain complete pressure drop records for each day of operation of the spray agglomerator and the weekly pressure drop records for the Number 2 Starch Flash Dryer scrubber.

In the Notice of Violation, the City further alleged the following:

Evidence of Violations:

1. On June 11, 1999, Construction Permit number CP099-00042-01 was issued by the City of Indianapolis Office of Environmental Services (City) to National Starch and Chemical Company (National Starch), located at 1515 South Drover Street, for the installation of the modification to the Number 2 starch flash dryer (Unit 40-3).

Condition number 12.(a) requires, in pertinent part, "The permittee shall monitor and record the pressure drop of the scrubber at least once per week. ..."

Condition number 15 requires, in pertinent part, "That a log of information necessary to document compliance with operation permit conditions numbers 11, 12, and 13 shall be maintained. These records shall be kept for at least the past 36 month period and made available upon request..."

During inspections on May 15, 2003 and May 22, 2003, the City inspector observed that the weekly records for the pressure drop of the scrubber were not available for review for the ten (10) weeks of May 10, 2002, May 17, 2002, May 24, 2002, June 3, 2002, June 10, 2002, March 31, 2003, April 7, 2003, April 14, 2003, April 21, 2003, and April 28, 2003.

2. On August 30, 2000, Significant Source Modification number 097-11362-00042 was issued by the City to National Starch for the construction of the spray agglomerator including emission unit 577-2.

Condition number D.1.6 requires, in pertinent part, "The Permittee shall record the total static pressure drop across the baghouse used in conjunction with emission units 577-2 at least once daily when the process is in operation when venting to the atmosphere. ..."

Condition number D.1.9.(b) requires, in pertinent part, "To document compliance with D.1.6., the Permittee shall maintain the following ... (1) Daily records of the inlet and outlet differential static pressure during normal operation when venting to the atmosphere. ..."

During inspections on May 15, 2003 and May 22, 2003, the City inspector observed that the daily records of the static pressure drop for emission unit 577-2 were not available for review on seventy-three (73) days from April 25, 2002, through July 6, 2002.

Indianapolis Air Pollution Control Board Regulation 2 "Permits", Section 1-1(H)(1)(c) states that "No person shall violate any condition of a Construction Permit, Operating Permit or Emission Credit Permit."

Additionally, National Starch has been previously advised to maintain records and make the records available for review upon request. On June 20, 2002, a warning letter was issued to National Starch for failure to keep daily pressure drop records for the spray agglomerator from December 22, 2001, through April 24, 2002.

National Starch and Chemical is required to comply with Indianapolis Air Pollution Control Board Regulation 2 "Permits."

The parties agree that settlement of this Notice of Violations is in the public interest and consent to the entry of this Compliance Agreement, without further litigation, as the most appropriate means of resolving the issues raised herein. The parties agree that, pursuant to Section 103-501 through 513 of the Revised Code of the Consolidated City and County, an Administrative Hearing Officer has authority and jurisdiction to approve, modify and enforce this Compliance Agreement and to assess stipulated penalties, resolve disputes which arise under and take any action necessary or appropriate for the construction or implementation of this Compliance Agreement. Entry into this Compliance Agreement constitutes a full resolution of all enforcement issues or potential enforcement issues related to the Notice of Violation and City shall not hereafter bring any enforcement action for the same alleged violations with the exception of any action necessary to enforce the terms of this Compliance Agreement. The parties agree to and shall be bound by the requirements of this Compliance Agreement.

NOW, THEREFORE, before the taking of any testimony, and without a hearing of any issue of fact or law and upon the consent of the parties, it is agreed by the parties and approved by the authorized Administrative Hearing Officer:

COMPLIANCE PROGRAM

1. National Starch agrees to comply with Chapter 511 of the Municipal Code of

Indianapolis and Marion County, Indiana ("Chapter 511"), and with the Rules and Regulations of the Indianapolis Air Pollution Control Board ("the Regulations"), in all of its future operations.

GENERAL PROVISIONS

2. **Monetary Settlement.** This Compliance Agreement is in full settlement and satisfaction of all matters alleged in the Notice of Violation. Entry into this Compliance Agreement does not constitute an admission of any violation. Entry into this Compliance Agreement constitutes a full resolution of all enforcement issues or potential enforcement issues related to the Notice of Violation and the City shall not hereafter bring any enforcement action for the same alleged violations with the exception of any action necessary to enforce the terms of this Compliance Agreement.

- A. The payment of a civil penalty of Four Thousand Eight Hundred Dollars (\$4,800.00) shall be submitted by National Starch, in the form of a check, made payable to the Indianapolis City Controller and delivered within thirty (30) days from the date of the Administrative Hearing Officer's approval of this Compliance Agreement to the following:

Enforcement Program Manager
Office of Environmental Services
City of Indianapolis
2700 South Belmont Avenue
Indianapolis, Indiana 46221

3. **Retention of Jurisdiction.** This Administrative Hearing Officer shall retain jurisdiction over this matter to modify or enforce the terms of this Compliance Agreement to assess stipulated penalties, to resolve disputes arising under the terms of this Compliance Agreement, or to take any action necessary or appropriate for construction or implementation of this Compliance Agreement.

4. **Effective Date.** This Compliance Agreement shall be effective upon the date that it

is approved by the Administrative Hearing Officer.

5. **Satisfaction of Judgment.** This Compliance Agreement shall be deemed satisfied upon the completion and acceptance thereof by the City of each condition or obligation placed upon National Starch herein and upon payment by National Starch of all civil penalties as provided for in Section 2 hereof.

IT SO ORDERED THIS _____ day of _____, 2003.

Cassandra Ashley-Jordan
ADMINISTRATIVE HEARING OFFICER
Authorized by Section 103-03 of the
Revised Code of the Consolidated City and County

FOR PLAINTIFF
City of Indianapolis

By: _____
R. Matt Senseny
Assistant Corporation Counsel
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Dated: _____

FOR DEFENDANT
National Starch and Chemical Company

By: _____
Signature

Printed Name

Title

Dated: _____

Copies to:

Cheryl Carlson
Enforcement Program Manager
Office of Environmental Services
City of Indianapolis
2700 South Belmont Avenue
Indianapolis, Indiana 46221

Matt Senseny
Assistant Corporation Counsel
City of Indianapolis
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204

Randolph Holme
Vice President
National Starch and Chemical Company
P.O. Box 10841
1515 South Drover Street
Indianapolis, IN 46206

STATE OF INDIANA)
) SS:
COUNTY OF MARION)
CITY OF INDIANAPOLIS,)

ADMINISTRATIVE ADJUDICATION

DOCKET NO. 03-A-0177

Plaintiff,)

vs.)

INDOPCO, Inc. D/B/A)
NATIONAL STARCH AND)
CHEMICAL COMPANY,)

Defendant.)

Notice of Administrative Hearing

You are hereby notified that an Administrative Hearing on the attached Notice of Violation will be held on November 20, 2003, at 1:00 p.m. at the location of Room 224 of the City-County Building, 200 East Washington Street, Indianapolis, Indiana 46204.

The following is a summary of the violation(s) alleged in the Notice of Violation. The maximum penalty which may be assessed is \$10,000.00 per violation per day.

National Starch was alleged to have failed to maintain complete pressure drop records for each day of operation of the spray agglomerator and the weekly pressure drop records for the Number 2 Starch Flash Dryer scrubber.

The Administrative Hearing will be held before Ms. Cassandra Ashley-Jordan, Administrative Hearing Officer, pursuant to Article V of Section 103 of the Revised Code of Indianapolis and Marion County.

The purpose of the hearing is to give the recipient of the Notice of Violation or his legal counsel the opportunity to present written and oral evidence, cross-examine witnesses and present arguments relevant to the violations alleged in the Notice of Violation. The City of Indianapolis, by its Department of Public Works, Office of Environmental Services, has the burden of proving at the hearing that the alleged violations occurred.

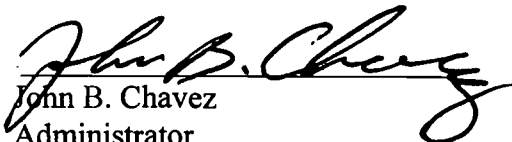
If you or your representative do not appear at the hearing, the matter may be determined in your absence and a fine not to exceed \$10,000.00 per violation per day may be assessed against you.

If you have any questions about the hearing or the Notice of Violation, please contact Ms. Cheryl Carlson, Enforcement Program Manager, 2700 South Belmont Avenue, Indianapolis, Indiana, 46221, (317)327-2234.

This Notice of Administrative Hearing issued by the City of Indianapolis, Department of Public Works, Office of Environmental Services on the 16 day of September, 2003.

City of Indianapolis,
Department of Public Works,
Office of Environmental Services

By:


John B. Chavez

Administrator
Office of Environmental Services
City of Indianapolis
2700 South Belmont Avenue
Indianapolis, Indiana 46221
(317)327-2234

Certificate of Service for Notice of Administrative Hearing

The undersigned certifies that a copy of the foregoing was sent to the following recipient(s) of the Notice of Violation by first-class United States mail, postage prepaid, on the 16th day of September, 2003.

Mr. Randy Holme
Vice President
National Starch and Chemical Company
P.O. Box 1084
1515 South Drover Street
Indianapolis, Indiana 46206



Office of Environmental Services

Copies also to:

Administrative Hearing Officer:
Ms. Cassandra Ashley-Jordan
P.O. Box 551097
Indianapolis, Indiana 46205

Attorney for Plaintiff:
Mr. Matt Senseny
Assistant Corporation Counsel
City of Indianapolis
200 East Washington Street
1601 City-County Building
Indianapolis, Indiana 46204